

Washington, Saturday, March 21, 1953

TITLE 3—THE PRESIDENT PROCLAMATION 3008

ARMED FORCES DAY, 1953

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the men and women of the armed forces of the United States are constantly demonstrating their loyalty and devotion to the service of their country and

WHEREAS these armed forces are now engaged in combat against ruthless aggression and despotism, which threaten to destroy the freedom that this Nation cherishes; and

WHEREAS these fighting forces help to maintain the strength and security of our Nation and to provide the power for peace needed in the world; and

WHEREAS it is fitting and proper that we devote one day each year to paying special tribute to those whose constancy and courage constitute one of the bulwarks guarding the freedom of this Nation and the peace of the free world:

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, do hereby proclaim Saturday, May 16, 1953, as Armed Forces Day and I direct the Secretary of Defense and the Secretaries of the Army, the Navy, and the Air Force, as well as the Secretary of the Treasury, on behalf of the Coast Guard, to mark the designated day with appropriate ceremomes, and to cooperate with other public authorities in suitable observances.

I also invite the Governors of the States, Territories, and possessions of the United States to provide for the celebration of the day in such manner as to pay suitable honor to the members of our armed forces; and I call upon my fellow citizens not only to display the flag of the United States on Armed Forces Day, but also to show their recognition of the gallantry, sacrifice, and devotion to duty of the men and women of the armed forces by cooperating in local observances of the day.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this seventeenth day of March, in the year of our Lord nineteen hundred [SEAL] and fifty-three, and of the Independence of the United States of America the one hundred and seventy-seventh.

DWIGHT D. EISENHOWER

By the President:

John Foster Dulles, Secretary of State.

[F. R. Doc. 53-2529; Filed, Mar. 19, 1953; 1:50 p. m.]

TITLE 47—TELECOMMUNI-CATION

Chapter I—Federal Communications Commission

[Docket No. 10361]

PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

PART 7—STATIONS ON LAND IN THE MARITIME SERVICES

PART 8—STATIONS ON SHIPEOARD IN THE MARITILE SERVICES

ASSIGNMENT AND DELETION OF FREQUENCIES

In the matter of amendments of Parts 2, 7 and 8 of the Commission's rules concerning assignment of frequencies in the band 5500-5550 ke so as to delete frequencies in this band from those available for use by the Maritime Mobile Service. Docket No. 10361.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 11th day of March 1953;

The Commission having under consideration its proposal in the above entitled matter; and

It appearing, that in accordance with the requirements of section 4 (a) of the Administrative Procedure Act, notice of proposed rule making in this matter which made provision for the submission of written comments by interested par-

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ties, was duly published in the FEDERAL REGISTER on January 8, 1953 (18 F. R. 160) and that the period for the filing

of comments has now expired; and It further appearing, that the only comment filed on the proposed amendments did not object thereto but stressed the importance of corresponding steps being taken to clear other frequencies for use by the maritime mobile service in accordance with the Atlantic City Table of Frequency Allocations and the Geneva (1951) Agreement; and

It further appearing, that the Commission has taken and will continue to take as expeditious action as is possible to clear frequencies allocated to the Maritime Mobile Service by the Atlantic City Table of Frequency Allocations; and

It further appearing, that finalization of the amendments herein ordered is urgent in order to permit expeditious action upon pending applications for renewals of licenses of affected stations and to effect the frequency changes required by March 15, 1953 as proposed in the notice of proposed rule making in this matter and, therefore, compliance with the provisions of paragraph 4 (c) of the Administrative Procedure Act is impracticable; and

It further appearing, that the public interest, convenience and necessity will be served by the amendments herein ordered, the authority for which is contained in section 303 (c) (f) and (r) of the Communications Act of 1934, as amended:

It is ordered, That effective March 15, 1953, Parts 2, 7 and 8 of the rules of the Commission are amended as set forth below.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S. C. 154. Interpret or apply sec. 303, 48 Stat. 1032 as amended; 47 U. S. C. 303)

Released: March 11, 1953.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] T. J. SLOWIE.

Secretary.

1. Section 2.104 (a) (3) (iii) is amended by adding the frequency band 5500-5550 kc to footnote 2 thereof.

2. Section 7.206 (a) is amended by deleting the following listed frequencies:

5520 Calling. Not available inland waters or Great Lakes.

5540 5545

3. Section 7.212 (d) is amended by adding the following frequency band and date thereto:

Frequency band (kc) Date 5500-5550__. Mar. 15, 1953

4. Section 8.321 (a) (1) is amended by deleting the following listed frequencies:

5510 5520 calling 5530 5512.5 5525 6535 5527.5 5515

[F. R. Doc. 53-2505; Filed, Mar. 20, 1953; 8:52 a. m.]

[Docket Nos. 10382, 10404]

PART 3—RADIO BROADCAST SERVICES

ASSIGNMENT AND DELETION OF CHANNELS

In the matter of amendment of § 3.606, Table of Assignments, Rules Governing Television Broadcast Stations. Docket Nos. 10382, 10404.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 12th day of

March 1953:

The Commission having under consideration its notice of proposed rule making issued on January 30, 1953 (FCC 53-90) and published in the FEDERAL REGISTER on February 10, 1953 (18 F. R. 831) proposing to assign Channel 18 to Burnsville, North Carolina, a community not listed in the Table of Assignments and not within 15 miles of a community so listed and its notice of proposed rule making issued on February 6, 1953 (FCC 53-139) and published in the Fideral Register on February 18, 1953 (18 F R. 961) proposing to correct deficiencies in certain assignments in the Table:

It appearing, that in accordance with the provisions of paragraph 5 of the aforesaid notices of proposed rule making, the time for filing comments therein expired February 27, 1953; and

It further appearing, that no com-ments opposing the proposed amendments were filed and that in view of their similar nature, these proceedings may be appropriately combined into one order;

Authority for the adoption of the amendments is contained in sections 4 (i) 301, 303 (c) (d) (f) and (r) and 307 (b) of the Communications Act of 1934, as amended;

It is ordered, That effective 30 days from the publication in the FEDERAL REGISTER, the Table of Assignments contained in § 3.605 of the Commission's rules and regulations is amended as follows:

6 11-	Channel No.	
City	Delete	Add
Anniston, Ala Conway, Ark Paragould, Ark Delano, Calif Pekin, Ill Bedford, Ind Grinnell, Iowa Mayfield, Ky Hammond, Ia Lawrence, Mass Rolla, Mo Burnsville, N. O Salisbury, N. O Sprinsfield, Ohlo Bradford, Pa Tullahoma, Tenn Austin, Tex Greenville, Tex	# ++ ++ ++++ -++++	

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. [F. R. Doc. 53-2504; Filed, Mar. 20, 1953; 154. Interprets or applies secs. 301, 303, 307,

43 Stat. 1031, 1032, as amended, 1034; 47 U. S. C. 301, 303, 304)

Released: March 13, 1953.

[SEAL]

FEDERAL COLEMNICATIONS COMMISSION. T. J. SLOWIE, Secretary.

[F. R. Doc. 53-2503; Filed, Mar. 20, 1953; 8:52 a. m.1

[Docket No. 16214]

PART 3-RADIO BROADCAST SERVICES

PART 13-COMMERCIAL RADIO OPERATORS STAY OF EFFECTIVE DATE OF ALIENDMENTS

In the matter of amendment of Parts 3 and 13 of the rules and regulations with respect to the license requirements of operators of certain Standard and FM Broadcasting Stations and for the remote control operations of such stations. Docket No. 10214.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 4th day of March 1953:

The Commission has before it a petition filed March 3, 1953, by the International Brotherhood of Electrical Workers, AFL, for stay of the effective date of the Commission's report and order of January 26, 1953, amending Parts 3 and 13 of its rules and regulations effective March 6, 1953. The petitioner alleges that the issues involved in the abovecaptioned matter are of great importance to the industry, to the technical employees of the industry, and to the nation as a whole. It asserts that it intends to file a petition for reconsideration of the Commission's action by March 6. 1953, and that, if the report and order is allowed to go into effect before the Commission can consider and reach a judgment upon this petition, the consequent disruption of present operating relations will make difficult any effectuation of any subsequent Commission action reversing or modifying the report and order. It alleges, therefore, that the effective date of the order should be stayed.

Upon consideration of the questions raised by the petition, the Commission is of the opinion that the public interest would be served by staying the effective date of the above-captioned order. Accordingly. It is ordered. This 4th day of March 1953, that the effective date for amending Parts 3 and 13 of the Commission's rules and regulations with respect to the license requirements for operators of certain standard and FM broadcast stations and for the remote control of such stations as set forth in the Commission's report and order of January 26, 1953, is hereby stayed until further order of the Commission.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interprets or applies sec. 303; 43 Stat. 1082, as amended; 47 U. S. C. 303)

Released: March 11, 1953.

FEDERAL COMMUNICATIONS COLUMNSION,

[SEAL] T. J. SLOWIE. Secretary.

8:52 a. m.]

RULES AND REGULATIONS

PART 16-LAND TRANSPORTATION RADIO SERVICES

RECAPITULATION OF REGULATIONS

Because of the number of outstanding amendments to Part 16 since it was last recapitulated in the Federal Register (May 6, 1949, 14 F R, 2346) there follows a recapitulation of Part 16 as revised to and including the Commission's action of January 7, 1953.

FEDERAL COMMUNICATIONS COMMISSION.

[SEAL] T. J. SLOWIE. Secretary.

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AUTHORITY: §§ 16.1 to 16.503 issued under sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interpret or apply secs. 301, 303, 48 Stat. 1081, 1082, as amended; 47 U.S. C. 301, 303.

SUBPART A-GENERAL INFORMATION

§ 16.1 Basis and purpose. (a) The basis for the rules following in this part is the Communications Act of 1934, as amended, and applicable treaties and agreements to which the United States is a party. The rules in this part are issued pursuant to the authority contained in Title III of the Communications Act of 1934, as amended, which vests authority in the Federal Communications Commission to regulate radio transmissions and to issue licenses for radio stations.

(b) The purpose of the rules and regulations in this part is to prescribe the conditions under which parts of the radio spectrum may be employed for radiocommunication and control facilities in certain land transportation operations.

§ 16.2 General limitations on use. The radio facilities authorized under this part shall not be used to render a communications common carrier service or to carry program material of any kind for use in connection with radio broadcasting.

§ 16.3 Cooperative use of facilities. (a) A person who is engaged in any one of the transportation operations for which a radio service is available may

receive radiocommunication service from a base station licensed to another person operating transportation facilities in the same service or from a non-profit corporation or association licensed in the same service and organized for the sole purpose of furnishing such a radiocommunication service. The rendition of such service, however, will not be required of the base station licensee without his consent except as provided in § 16.252. Such cooperative arrangements will be governed by the following:

(1) Persons who are to receive mobile radiocommunication service from a base station licensed to another person may, themselves, be the licensees of the radio units to be installed in their respective vehicles: Provided, That prior to receiving an authorization for the mobile units the person from whom the service is to be received files a request for authority to render such communication service to each person who is to receive service. The request must be notarized but may be in letter form submitted in duplicate. Upon approval of the request the Commission will designate the persons to whom service may be rendered on the base station authorization.

(2) The licensee of a base station may install licensed mobile units in the vehicles of other persons engaged in the same type of transportation: Provided. That in each case such persons shall enter into a written agreement verifying that the licensee has the sole right of control of the mobile radio units, that the vehicle operators shall operate the radio units subject to the orders and instructions of the base station operator and that the licensee shall at all times have such access to and control of the mobile equipment as will enable him to carry out his responsibilities under the license. A copy of the agreement with vehicle owners required hereby shall be kept with the station records and held available for inspection by the Commission representatives.

(b) All cooperative arrangements entered into under the provisions of this section shall be governed by the following requirements as to costs and charges:

(1) The arrangement must be established on a non-profit, cost-sharing basis by written contract between the parties and a copy of the contract must be kept with the records of the base station and held available for inspection by Commission representatives.

(2) Contributions to capital and operating expenses may be accepted only on a cost-sharing, non-profit basis, said costs to be prorated on an equitable basis among all persons who are parties to the cooperative arrangement. Records which reflect the cost of the service and its non-profit, cost-sharing nature shall be maintained by the base station licensee and held available for inspection by Commission representatives. An audited financial statement reflecting the non-profit, cost-sharing nature of the arrangement shall be submitted annually to the Commission's Washington office no later than three months after the close of the licensee's fiscal year.

- § 16.4 General citizenship restrictions. A station license may not be granted to or held by
- (a) Any alien or the representative of any alien;
- (b) Any foreign government or the representative thereof;
- (c) Any corporation organized under the laws of any foreign government;
- (d) Any corporation of which any officer or director is an alien;
- (e) Any corporation of which more than one-fifth of the capital stock is owned of record or voted by Aliens or their representatives; a foreign government or representative thereof; or any corporation organized under the laws of a foreign country.
- (f) Any corporation directly or indirectly controlled by any other corporation of which any officer or more than one-fourth of the directors are aliens, if the Commission finds that the public interest will be served by the refusal or revocation of such license; or
- (g) Any corporation directly or indirectly controlled by any other corporation of which more than one-fourth of the capital stock is owned of record or voted by Aliens or their representatives; a foreign government or representatives thereof; or any corporation organized under the laws of a foreign government—if the Commission finds that the public interest will be served by the refusal or revocation of such license.
- § 16.5 Transfer and assignment of station authorization. A station authorization, the frequencies authorized to be used by the grantee of such authorization, and the rights therein granted by such authorization shall not be transferred, assigned, or in any manner either voluntarily or involuntarily disposed of, or indirectly by transfer of control of any corporation holding such authorization, to any person, unless the Commission shall, after securing full information, decide that the said transfer is in the public interest. Requests for authority to assign a station authorızation may be submitted ın accordance with § 16.56 (b) while a request for authority to transfer control of a corporation, as by sale of controlling stock interest, shall be submitted in accordance with § 16.56 (d)
- § 16.6 Definition of terms. For the purpose of this part, the following definitions shall be applicable. For other definitions, refer to Part 2 of this chapter, Frequency Allocations and Treaty Matters; General Rules and Regulations.
- (a) Assigned frequency. The frequency appearing on a station authorization, from which the carrier frequency may deviate by an amount not to exceed that permitted by the frequency tolerance.
- (b) Authorized bandwidth. The frequency band, specified in kilocycles and centered on the carrier frequency, containing those frequencies upon which a total of 99 percent of the radiated power appears, extended to include any discrete frequency upon which the power is at least 0.25 percent of the total radiated power.
- (c) Base station. See paragraph (i) of this section, Land Station.

- (d) Control station. An operational fixed station, the transmissions of which are used to automatically control the emissions or operation of another radio station at a specified location.
- (e) Fixed service. A service of radio communication between specified points.
- (f) Harmful interference. Any radiation or any induction which endangers the functioning of a radionavigation service or of a safety service or obstructs or repeatedly interrupts a radio service operating in accordance with the regulations in this part. (For purposes of this definition only, a safety service is any radio service whose operation is directly related, whether permanently or temporarily, to the safety of human life and the safeguarding of property.)
- (g) Intercity Bus Radio Service. The term "Intercity Bus Radio Service" as used in this part means a radiocommunication service for use in connection with the transportation of passengers by bus between cities.
- (h) Highway, Truck Radio Service. This term is used in this part to mean a radiocommunication service for use in connection with transportation of freight by truck on routes outside metropolitan areas.
- (i) Land station. A station in the mobile service not intended for operation while in motion. (Of the various types of land stations, only the Base Station is pertinent to this part, and will be used interchangeably with Land Stations.)
- (j) Landing area. A landing area means any locality, either of land or water, including airports and intermediate landing fields, which is used, or approved for use for the landing and take-off of aircraft, whether or not facilities are provided for the shelter, servicing, or repair of aircraft, or for receiving or discharging passengers or cargo.

Note: Consideration of aeronautical facilities not in existence at the time of the filing of the application for radio facilities will be given only when proposed airport construction or improvement plans are on file with the CAA as of the filing date of the application for such radio facilities.

- (k) Mobile service. A service of radiocommunication between mobile and land stations, or between mobile stations.
- (1) Mobile station. A station in a mobile service intended to be used while in motion or during halts at unspecified points.
- (m) Operational fixed station. A fixed station, not open to public correspondence, operated by, and for the sole use of those agencies operating their own radiocommunication facilities in the Public Safety, Industrial, Land Transportation, or Aviation Services. (This term includes all stations licensed in the fixed service under this part.)
- (n) Person. An individual, partnership, association, joint stock company, trust, or corporation.
- (o) Railroad Radio Service. The term "Railroad Radio Service" as used in this part means a radiocommunication service for use in connection with the operation and maintenance of a railroad common carrier.
- (p) Fixed relay station. An operational fixed station in the fixed service,

established to receive radio signals directed to it from any source and to retransmit them automatically on a fixed service frequency for reception at one or more fixed points.

(q) Mobile relay station. A base station in the mobile service, authorized primarily to retransmit automatically on a mobile service frequency communications originated by mobile stations. (Authorized in the railroad radio service only.)

(r) Station authorization. Any construction permit, license, or special temporary authority issued by the Commission.

- (s) Taxicab Radio Service. The term "Taxicab Radio Service" as used in this part, means a radiocommunication service for use in connection with the transportation facilities of a taxicab common carrier.
- (t) Telemetering. Automatic radiocommunication, in a fixed or mobile service, intended to indicate or record a measurable variable quantity at a distance
- (u) Urban Transit Radio Service. The term "Urban Transit Radio Service" as used in this part, means a radiocommunication service primarily for use in connection with the transportation of passengers, by streetcar or bus, within the confines of an urban area.
- (v) Automobile Emergency Radio Service. The term "Automobile Emergency Radio Service" as used in this part means a radiocommunication service for use in connection with the dispatching of emergency road service vehicles by associations of owners of private automobiles and public garages.
- (w) Antenna structure. The term "antenna structure" includes the radiating system and its supporting structures.
- § 16.8 Policy governing the assignment of frequencies. (a) The frequencles which may be assigned to stations operating in the Land Transportation Radio Services are listed in the applicable subpart of these rules. Each frequency, or band of frequencies, available for assignment to stations in these services is available on a shared basis only, and will not be assigned for the exclusive use of any one applicant. All applicants for, and licensees of, stations in these services shall cooperate in the selection and use of the frequencies assigned in order to minimize interference and thereby obtain the most effective use of the authorized facilities. In the event that two or more licensees are unable to make an equitable division of transmission time the Commission, at its discretion, may specify a time sharing arrangement. The use of any of these frequencies may be restricted to one or more geographical areas.
- (b) Outside the continental limits of the United States and waters adjacent thereto, frequencies above 152 Mc, listed elsewhere in this part as available for assignment to Base Stations or Mobile Stations in particular Services are also available for assignment to Operational Fixed Stations in the same Service on condition that no harmful interference be caused to mobile service operations.

SUBPART B-APPLICATIONS, AUTHORIZATIONS, AND NOTIFICATIONS

§ 16.51 Station authorization required. No radio transmitter shall be operated in the Land Transportation Radio Services except under and in accordance with a valid station authorization granted by the Federal Communications Commission.

§ 16.52 Procedure for obtaining a radio station authorization and for commencement of operation. (a) Persons desiring to install and operate radio transmitting equipment should first submit an application for a radio station authorization ın accordance § 16.56 (a)

(b) When construction permit only has been issued for a base, fixed or mobile station and installation has been completed in accordance with the terms of the construction permit and the applicable rules of the Commission, the permittee shall proceed further as follows:

(1) Notify the Engineer-in-Charge of the local radio district of the date on which the transmitter will first be tested in such manner as to produce radiation, giving name of the permittee, station location, call sign, and frequencies on which tests are to be conducted. This notification shall be made in writing at least two days in advance of the test date. FCC Form 456 may be used for this purpose. No reply from the radio district office is necessary before the tests are begun.

(2) After testing, but on or before the date when the station is first used for operational purposes, mail to the Commission in Washington, D. C., an application on FCC Form 400 for license or modification of license, as appropriate in the particular case. The station may thereafter be used as though licensed, pending Commission action on the li-

cense application.

(c) When a construction permit and license for a new base, fixed or mobile station are issued simultaneously the licensee shall notify the Engineer-in-Charge of the local radio district of the date on which the transmitter will be placed in operation, giving name of licensee, station location, call sign, and operating frequencies. This notification shall be made in writing on or before the day on which operation is commenced. FCC Form 456 may be used for this purpose.

(d) When a construction permit and modification of license for a base, fixed or mobile station are issued simultaneously, operation may be commenced without notification to the Engineer-in-Charge of the local radio district, except where operation on a new, or different frequency results by reason of such modification, in which event the notification procedure set forth in paragraph (c) of this section must be observed.

§ 16.53 Special temporary authority. (a) (1) In cases of emergency found by the Commission involving danger to life or property, or due to damage to equipment, temporary authorization for the construction and operation of a radio station may be granted for the duration of such emergency. Requests for such temporary authorization may be filed without regard to the provisions of § 16.56 in letter form or by telegram, but shall contain the following information:

(i) Name, address, and citizenship

status of applicant;

(ii) Statement of facts upon which the request for emergency authorization is based, including estimated duration of emergency, and explanation why a formal application could not have been submitted in time to get a regular license:

(iii) Class of station and nature of service:

(iv) Location of station including, when appropriate, geographical coordinates:

(v) Equipment to be used, specifying manufacturer, model number and number of units, frequencies desired, plate power input to final radio frequency

stage, and type of emission.

If any of the foregoing information is presently on file with the Commission, such information may be included by reference. The applicant may be required, whenever such action may be considered necessary by the Commission. to supplement the information enumerated by filing as soon as practicable a formal application on the prescribed form.

(2) In cases where an urgent need is shown for operation of an authorized station for a limited time only, in a manner other than that specified in the existing authorization, but not in conflict

with the rules, or

(3) For the purpose of conducting a field survey to determine necessary data in connection with the filing of formal applications for installation of a radio system in some service under this part. In this case, the authority if issued, will be for developmental operation only, and the applicable sections of Subpart E of this part shall also apply to the grant.

(b) An application for special temporary authority other than that to which paragraph (a) (1) of this section applies, may be filed as an informal application in the manner prescribed by § 16. 56 (g), and shall contain the following information:

(1) Name, address, afid citizenship status of applicant.

(2) Need for special action.

(3) Type of operation to be conducted.

(4) Purpose of operation.

(5) Time and date of operation desired.

(6) Class of station and nature of service.

(7) Location of station.

(8) Equipment to be used, specifying manufacturer.

(9) Frequency(s) desired.

(10) Plate power input to final radio frequency stage.

(11) Type of emission.

§ 16.54 Filing of applications. To assure that necessary information is supplied in a consistent manner by all persons, standard forms are prescribed for use in connection with the majority of applications and reports submitted for Commission consideration. Standard numbered forms applicable to the Land Transportation Radio Services are discussed in § 16.56, and may be obtained from the Washington, D. C., office of the Commission, or from any of its engineering field offices. Concerning matters where no standard form is applicable, the procedure outlined in § 16.56 (g) should be followed.

(b) Any application for radio station authorization, and all correspondence relating thereto, shall be submitted to the Commission's office at Washington 25, D. C., and should be directed to the

attention of the Secretary.

(c) Applications involving operation at temporary locations:

(1) When a base station or a fixed station is to remain at a single location for less than one year, the location is considered to be temporary. An application for authority to operate at temporary locations shall specify the general geographic area within which the operation will be confined. The area specified may be a city, a county or counties, a state or states, "Gulf Coast area", "Eastern U. S." etc.

(2) When a base station or fixed station authorized to operate at temporary locations remains at a single location for more than one year, an application for modification of the station authorization to specify the permanent location shall be filed within thirty days after expiration of the one year period.

(d) Failure on the part of the applicant to provide all the information required by the application form, or to supply the necessary exhibits or supplementary statements may constitute a

defect in the application.

(e) Unless otherwise specified in a particular case or for a particular form. each application shall be filed in duplicate.

§ 16.55 Who may sign applications. One copy of each application for an authorization shall be signed under oath or affirmation by the applicant if the applicant be an individual, or any one of the partners if an applicant be a partnership, by an officer if the applicant be a corporation, or by a member who is an officer if the applicant be an unincorporated association: Provided, however That applications may be signed by the attorney for an applicant in case of (a) physical disability of the applicant, or (b) his absence from the continental United States. If it be made by a person other than the applicant, he must set forth in the verification the grounds of his belief as to all matters not stated upon his knowledge and the reason why it is not made by the applicant.

§ 16.56 Standard forms to be used. (a) A separate application shall be submitted on FCC Form 400 for the following:

(1) New station authorization for a base or fixed station.

(2) New station authorization for any required number of mobile units (including hand-carried or pack-carried units) to be operated in the same service.

Note: An application for mobile units may be combined with an application for a single base station for such mobile units as will operate with that base station only.

- (3) License for any class of station upon completion of construction or installation in accordance with the terms and conditions set forth in the construction permit.
- (4) Modification of a combined construction permit and station license for changes outlined in § 16.64 (a)
- (5) Modification of construction permit
- (6) Modification of station license.

Any of the foregoing applications will, upon approval and authentication by the Commission, be returned to the applicant as a specifically designated type of authorization.

- (b) When the holder of a station authorization desires to assign to another person the privilege to construct or use a radio station, he shall submit to the Commission a notarized letter setting forth his desire to assign all right, title, and interest in and to such authorization, stating the file number and expiration date of his authorization and the call sign and location of station. This letter shall also include a statement that the assignor will submit his current station authorization for cancellation upon completion of the assignment. Enclosed with this letter shall be an application for Assignment of Authorization on FCC Form 400 prepared by and in the name of the person to whom the station is assigned.
- (c) A separate application may be submitted on FCC Form 400-A for certain changes to authorized stations as specified in § 16.64 (b)
- (d) A separate application shall be submitted on FCC Form 703 whenever it is proposed to change the control of a cornorate permittee or licensee.
- corporate permittee or licensee.

 (e) FCC Form 456 "Notification of Completion of Radio Station Construction" may be used to advise the Engineer-in-Charge of the local district office that construction of the station is complete and that operational tests will begin.
- (f) Application for renewal of station license shall be submitted on FCC Form 405-A. Unless otherwise directed by the Commission, each application for renewal of license shall be filed during the last 60 days of the license term. In any case in which the license has, in accordance with the Commission's rules made timely and sufficient application for renewal of license, no license with reference to any activity of a continuing nature shall expire until such application shall have been finally determined.
 - (g) Informal applications:
- (1) An application not submitted on a standard form prescribed by the Commission is considered to be an informal application. Each informal application shall be submitted in duplicate, normally in letter form, and with the original signed under oath or affirmation. Each application shall be clear and complete within itself as to the facts presented and action desired.
- (2) A request for special temporary authorization must include full particulars as to the purpose for which the request is made and such request should be submitted at least 10 days prior to the date of the proposed operation. A re-

quest received within less than 10 days may be accepted upon due showing of sufficient reason for the delay in submitting the request. The information necessary to Commission action on requests for Special Temporary Authority is set forth in § 16.53 of this subpart.

- § 16.58 Supplementary information to be submitted with application. Each application for station authorization shall be accompanied by such supplemental information listed below as may be required:
- (a) Any statements or showings required by the applicable subpart of this part, in connection with the use of the frequency requested.
- (1) The issuance of authority for use of frequencies within the band 72-76 Mc is contingent upon a showing that no harmful interference will be caused to reception of television Channel 4 or 5. Therefore, each application for use of one of these frequencies at a location within 55 miles of a television station authorized to use TV channel number 4 or 5 (35 miles in the case of community stations) or within a like distance of a location to which TV channel number 4 or 5 is allocated in the Commission's rules, shall be accompanied by the following data: *
- (i) A map of suitable scale showing the area enclosed by a circle having a radius of approximately 15 miles, centered on and surrounding the site chosen for the applicant's fixed station. This map should be marked with a circle of 5 miles radius and another circle of ½ mile radius centered on the proposed site to indicate the scale of the map.

(ii) A count of the houses and estimated population within the ½ mile circle shown on the map. (Use a count of 5 persons per house unless there are apartment houses in the area.)

(iii) The height above sea level of the center of the radiating portion of the antenna system, and the radiation pattern of the proposed antenna,

(iv) The height above sea level of nearby towns (within 10 miles of the proposed station)

- (v) A written statement from the applicant that it will satisfactorily adjust all complaints of interference to television reception caused by operation of the proposed fixed station, when such complaints are made by owners of television receivers which are located both within one mile of the site of the proposed fixed station, and within the protected service area of television stations using TV channel number 4 or 5. The applicant's statement shall indicate agreement to the condition that this adjustment of interference complaints be made a part of the authorization.
- (b) Statements justifying the need when more frequencies are desired than are normally assigned to a single applicant under the applicable subpart of this part.
- (c) Statement describing the type of emission to be used if it cannot be described as "8A3" or "40F3" pursuant to Subpart C of this part.

- (d) Description of the antenna system, on FCC Form 401-A in quadruplicate, in all cases when:
- (1) The antenna structure proposed to be erected will exceed an over-all height of 170 feet above ground level: *Provided, however*, That FCC Form 401-A is not required when the antenna is mounted on top of an existing manmade structure and does not increase the over-all height of such man-made structure by more than 20 feet; or
- (2) The antenna structure proposed to be erected will exceed an over-all height of one foot above the established airport (landing area) elevation for each 200 feet of distance, or fraction thereof, from the nearest boundary of such landing area: Provided, however That FCC Form 401-A is not required when the antenna does not exceed 20 feet above the ground or is mounted on top of an existing man-made structure or natural formation and does not increase the over-all height of such man-made structure or natural formation by more than 20 feet.
- (e) A functional system diagram and a detailed description of the manner in which the interrelated stations will operate when the station is, or will be, part of a system involving two or more stations at different fixed locations.
- (f) Copies of all agreements and statements which may be required under § 16.3 if operation is desired in connection with any cooperative or joint use of the proposed radio communication facilities.
- (g) Statements required by the Rules in connection with developmental operation. See §§ 16.202, 16.203, 16.207.
- ation. See §§ 16.202, 16.203, 16.207.

 (h) Description of any equipment, proposed to be used, which does not appear on the Commission's List of Equipments Acceptable for Licensing, and designated for use in the Public Safety, Industrial and Land Transportation Radio Services.
- (i) Any statements or other data required under special circumstances as set forth in the applicable subpart of this part, or required upon request by the Commission.
- § 16.59 Partial grant. Where the Commission, without a hearing, grants an application in part, or with any privileges, terms or conditions other than those requested, the action of the Commission shall be considered as a grant of such application unless the applicant shall, within 20 days from the date on which public announcement of such grant is made, or from its effective date if a later date is specified, file with the Commission a written request rejecting the grant as made. Upon receipt of such request, the Commission will vacate its original action and set the application for hearing.
- § 16.60 Defective applications. (a) An application which is not prepared in accordance with the Commission's rules or other requirements will be considered defective and will be returned to the applicant.
- (b) If an applicant is requested by the Commission to file any documents or information not included in the prescribed application form, a failure to comply

^{*}Subject to change upon finalization of proceedings in Docket 10315.

is in conflict.

with such request will constitute a defect in the application.

(c) Applications which are not in accordance with the Commission's rules, regulations or other requirements will be considered defective unless accompanied by a petition to amend any rule or regulation with which the application

§ 16.61 Amendment or dismissal of applications. Any application may be amended or dismissed without prejudice upon request of the applicant prior to the time the application is granted or designated for hearing. Each amendment to, or request for dismissal of an application shall be signed, authenticated, and submitted in the same manner and with the same number of copies as required for the original application. All subsequent correspondence or other material which the applicant desires to have incorporated as a part of an application already filed shall be submitted in the form of an amendment to the application.

§ 16.62 Construction period. (a) Each radio station construction permit issued by the Commission will specify the date of grant as the earliest date of commencement of construction and installation, and a maximum of eight months thereafter as the time within which construction shall be completed and the station ready for operation, unless otherwise determined by the Commission in any particular case.

(b) In cases where the station is not ready for operational use on or before the expiration date of the construction permit, application for extension of time to construct shall be filed on FCC Form

400-A.

§ 16.63 License term. (a) For all stations in the Land Transportation Radio Services, except those engaged in developmental operation the license period shall be as follows:

(1) Each station license will be issued for a term of from one to five years from the effective date of grant, the term varying as may be necessary to permit the orderly scheduling of renewal applications.

(2) Each station license normally will be renewed, upon proper application, for a term of four years from the effective date of renewal.

(b) Instruments of authorization for stations engaged in developmental operation will be made upon a temporary basis for a specific period of time, but in no event to extend beyond one year from date of grant.

§ 16.64 Changes in authorized stations. Authority for certain changes in authorized stations must be obtained from the Commission before these changes are made, while other changes do not require prior Commission approval. The following paragraphs describe the conditions under which prior Commission approval is or is not necessary.

(a) Proposed changes which will result in operation inconsistent with any of the terms of the current authorization require that an application for modifi-

cation of construction permit and/or license be submitted to the Commission and, except as set forth in paragraph (b) of this section, shall be on Form 400 and shall be accompanied by exhibits and supplementary statements as required by § 16.58.

(b) Any of the following changes to authorized stations may be made upon approval by the Commission of a "Request for Amendment of Radio Station Authorization" submitted on FCC Form 400-A.

(1) Change in presently authorized location of transmitter control point.

(2) Addition or deletion of control point(s) for presently authorized transmitter.

(3) Reduction in antenna height. If painting and/or lighting of the antenna supporting structure is required, FCC Form 401-A must also be submitted.

(4) A reduction in the over-all number of transmitters authorized for mobile

(5) An increase in the over-all number of transmitters authorized for mobile use. This form may be used only when adding mobile transmitters which are included in the Commission's "List of Equipments Acceptable for Licensing" and designated for use in the Public Safety, Industrial, and Land Transportation Radio Services.

(6) An extension of the time limit specified in a construction permit.

(c) Proposed changes which will not depart from any of the terms of the outstanding authorization for the station involved may be made without prior Commission approval. Included in such changes is the substitution of various makes of transmitting equipment at any station provided the particular equipment to be installed is included in the Commission's "List of Equipments Acceptable for Licensing" and designated for use in the Public Safety, Industrial, and Land Transportation Radio Services and provided the substitute equipment employs the same type of emission and does not exceed the power limitations as set forth in the station authorization.

§ 16.65 Discontinuance of station operation. In case of permanent discontinuance of operation of a station in this service, the licensee shall forward the station license to the Washington, D. C. office of the Commission for cancellation. A copy of the request for cancellation of the license shall be forwarded to the Commission's Engineer in Charge of the district in which the station is located. For purposes of this rule, a station which is not operated for a period of one year is considered to have been permanently discontinued.

SUBPART C-TECHNICAL STANDARDS

§ 16.101 Frequencies. The frequencies available for use in these services are listed in the applicable subpart of this part. The separation shown between assignable frequencies in the various bands does not necessarily indicate the actual amount of separation required for satisfactory operation of two or more systems within thhe same geographical

area. Accordingly, grants of adjacent channel assignments in all bands will be in the discretion of the Commission.

§ 16.102 Frequency stability. (a) The carrier frequency of each authorized transmitter in these services shall be maintained within the following percentage of the assigned frequency, except as provided in paragraph (b) of this section:

E10	cquoncy
te	olcrance
Frequency range: (7	ercent)
Below 50 Mc	0. 01
From 50-220 Mc	005
Above 220 Mc	(¹)

¹To be specified in the authorization.

(b) For transmitters authorized to operate with a maximum plate power mput to the final radio frequency stage of 3 watts or less, the frequency may be maintained as shown in the table below in lieu of the requirements in paragraph (a) of this section.

	rrequency
	toleranco
Frequency range:	(percent)
Below 50 Mc	0.02
From 50-220 Mc	01

§ 16.103 Types of emission. (a) Except as provided in paragraph (b) of this section, stations in these services will be authorized to use only A3 or F3 emission for radiotelephony. The authorization to use A3 or F3 emission will be construed to include the use of tone signals or signaling devices whose sole function is to establish and maintain communication between stations.

(b) Other types of emission not described in paragraph (a) of this section may be authorized upon a satisfactory showing of need therefor. An application requesting such authorization shall fully describe the emission desired, shall indicate the bandwidth required for satisfactory communication, and shall state the purpose for which such emission is required. For information regarding the classification of emissions and the calculation of the bandwidth, reference should be made to Part 2 of this subchapter.

§ 16.104 Emission limitations. (a) Each authorization issued to a station operating in these services will show, as the prefix to the emission classification. a figure specifying the maximum authorized bandwidth in kc to be occupied by the emission. The specified band shall contain those frequencies upon which a total of 99 percent of the radiated power appears extended to include any discrete frequency upon which the power is at least 0.25 percent of the total radiated power. Any radiation in excess of the limits specified in paragraph (c) of this section is considered to be an unauthorized emission.

(b) The emission prefix figures referred to in paragraph (a) of this section for the types of emission covered by paragraph (a) of § 16.103 are listed in the table below:

(c) For purpose of demonstrating compliance with paragraph (a) of this section, the following limits apply:

(1) Any emission appearing on any frequency removed from the carrier frequency by at least 50 percent, but not more than 100 percent, of the maximum authorized bandwidth shall be attenuated not less than 25 db below the unmodulated carrier.

(2) Any spurious or harmonic emission appearing on any frequency removed from the carrier frequency by at least 100 percent of the maximum authorized bandwidth shall be attenuated below the unmodulated carrier by not less than the amount indicated in the following table:

Maximum authorized plate power input to the final radio **Attenuation** frequency stage (db) 3 watts or less. Over 3 watts and including 150 watts... 60 Over 150 watts and including 600 watts_ 70

- (d) When an unauthorized emission results in harmful interference, the Commission may, in its discretion, require appropriate technical changes in equipment to alleviate the interference.
- § 16.105 Modulation requirements. (a) The maximum frequency required for satisfactory radiotelephone intelligibility in these services is considered to be 3000 cycles per second, and the transmission of higher frequencies is unauthorized.
- (b) When amplitude modulation is used for telephony, the modulation percentage shall be sufficient to provide efficient communication and shall be normally maintained above 70 percent on peaks, but shall not exceed 100 percent on negative peaks.

(c) When phase or frequency modulation is used for telephony, the deviation arising from modulation shall not exceed plus or minus 15 kc from the unmodulated carrier.

- (d) Each transmitter authorized or installed after July 1, 1950 shall be provided with a device which will automatically prevent modulation in excess of that specified in paragraphs (b) and (c) of this section which may be caused by greater than normal audio level: Provided, however, That this requirement shall not be applicable to transmitters authorized to operate with a maximum plate power input to the final radio frequency stage of 3 watts or less.
- § 16.106 Power and antenna height. (a) The power which may be used by a station in these services shall be no more than the minimum required for the satisfactory technical operation commensurate with the size of the area to be served and local conditions which affect radio transmission and reception. In cases of harmful interference, the Commission may order a change in power or antenna height, or both.
- (b) Except where the power that may be used on a designated frequency is specifically limited to a lower value, plate power input to the final radio frequency stage will not be authorized in excess of the following tabulation:

Maximum plate power input to the final radio stage (watts)

Frequency: 30-100 Mc_____ £00 100-220 Mc____ 120 Above 220 Mc__ (1)

¹ To be specified in authorization.

§ 16.107 Transmitter control requirements. (a) Each transmitter shall be so installed and protected that it is not accessible to or capable of operation by persons other than those duly authorized by the licensee.

(b) A control point is an operating position which meets all of the following conditions:

(1) The position must be under the control and supervision of the licensee;

(2) It is a position at which the monitoring facilities required by this section are installed; and

(3) It is a position at which an operator responsible for the operation of the transmitter is stationed.

(c) Each station shall be provided with a control point, the location of which will be specified in the license. It will be assumed that the location of the control point is the same as that of the transmitting equipment unless the application includes a request for a different location. Authority must be obtained from the Commission for the installation of additional control points.

(d) A dispatch point is a position from which messages may be transmitted under the supervision of a control point operator. Dispatch points may be installed without authorization from the Commission.

(e) At each control point the following facilities shall be installed:

- (1) A carrier operated device which will provide continuous visual indication when the transmitter is radiating; or, in lieu thereof, a pilot lamp or meter which will provide continuous visual indication when the transmitter control circuits have been placed in a condition to produce radiation: Provided, however, That the provisions of this subparagraph shall not apply to hand-carried or packcarried transmitters;
- (2) Equipment to permit the operator to aurally monitor all transmissions origmating at dispatch points under his supervision:
- (3) Facilities which will permit the operator either to disconnect the dispatch point circuits from the transmitter or to render the transmitter inoperative from any dispatch point under his supervision; and
- (4) Facilities which will permit the operator to turn the transmitter carrier on and off at will.
- § 16.108 Transmitter measurements. (a) The licensee of each station shall employ a suitable procedure to determine that the carrier frequency of each transmitter, authorized to operate with a plate input power to the final radio frequency stage in excess of three watts, is maintained within the tolerance prescribed in this part. This determination shall be made, and the results thereof entered in the station records, in accordance with the following:

- (1) When the transmitter is initially installed:
- (2) When any change is made in the transmitter which may affect the carrier frequency or the stability thereof;
- (3) At intervals not to exceed six months, for transmitters employing crystal-controlled oscillators:

(4) At intervals not to exceed one month, for transmitters not employing crystal-controlled oscillators.

- (b) The licensee of each station shall employ a suitable procedure to determine that the plate power input to the final radio frequency stage of each base station or fixed station transmitter, authorized to operate with a plate power input to the final radio frequency stage in excess of three watts, does not exceed the maximum figure specified on the current instrument of authorization. Where the transmitter is so constructed that a direct measurement of plate current in the final radio frequency stage is not practicable, the plate power input may be determined from a measurement of the cathode current in the final radio frequency stage. When the plate input to the final radio frequency stage is determined from a measurement of the cathode current, the required record entry shall indicate clearly the quantities that were measured, the measured values thereof, and the method of determining the plate power input from the measured values. This determination shall be made, and the results thereof entered in the station records, in accordance with the following:
- (1) When the transmitter is initially installed:
- (2) When any change is made in the transmitter which may increase the transmitter power input;
- (3) At intervals not to exceed six months.
- (c) The licensee of each station shall employ a suitable procedure to determine that the modulation of each transmitter. authorized to operate with a plate power input to the final radio frequency stage in excess of three watts, does not exceed the limits specified in this part. This determination shall be made and the results thereof entered in the station records, in accordance with the following:
- (1) When the transmitter is initially installed;
- (2) When any change is made in the transmitter which may affect the modulation characteristics;
- (3) At intervals not to exceed six months.
- (d) The determinations required by paragraphs (a) (b) and (c) of this section may, at the option of the licensee, be made by any qualified engineering measurement service, in which case, the required record entries shall show the name and address of the engineering measurement service as well as the name of the person making the measurements.
- (e) In the case of mobile transmitters, the determinations required by paragraphs (a) and (c) of this section may be made at a test or service bench: Provided, The measurements are made under load conditions equivalent to actual operating conditions: And provided

further That after the installation the transmitter is given a routine check to determine that it is capable of being received satisfactorily by an appropriate receiver.

SUBPART D—STATION OPERATING REQUIREMENTS

- § 16.151 Permissible communications.

 (a) Except as provided in § 16.502, stations licensed under this part may transmit the following types of communications:
- (1) Any communication: related directly to the safety of life or the protection of important property
- (2) Communications required for the efficient operation of the transportation system, as described in the application for authorization and defined in the rule of eligibility for the particular service; subject to the condition that harmful interference is not caused to safety communications of stations licensed under this part, and further subject to the condition that the transmission of each message shall be accomplished as quickly as possible and without superfluous language.
- (b) A station licensed under this part may communicate with other stations without restriction as to type, service, or license when the communications to be transmitted are related directly to the safety of life or protection of important property.
- (c) For transmission of all communications other than those described in paragraph (a) (1) of this section, a station licensed under this part shall communicate only as follows:
- (1) Each unit of a mobile station is authorized primarily to communicate with other units of the mobile station, and with associated base stations. Secondarily, each unit of a mobile station is authorized to communicate with associated fixed stations.
- (2) Each base station is authorized primarily to communicate with the units of an associated mobile station. Secondarily, each base station may communicate with an associated base station, fixed stations, or fixed receiver when:
- (i) The messages to be transmitted are of immediate importance to mobile units; or
- (ii) Wireline communication facilities between such points are inoperative, economically impracticable, or unavailable from communications common carrier sources;
- (3) Each fixed station is authorized primarily to communicate with associated fixed stations and fixed receivers. Secondarily, each fixed station is authorized to communicate with units of an associated mobile station, and, subject to the limitations of subparagraph (2) of this paragraph, with associated base stations.
- (4) Subject to the other conditions of this paragraph, stations licensed under this part may communicate with stations of other licensees and with U. S. Government stations in those cases which require cooperation or coordination of activities: *Provided, however* That where communication is desired with stations authorized to operate under the

authority of a foreign jurisdiction, prior approval of this Commission must be obtained.

- (d) All communications, regardless of their nature, shall be restricted to the minimum practicable transmission time, and a standard uniform operating procedure shall be employed by each licensee. Continuous radiation of an unmodulated carrier is prohibited, except when necessary for test purposes, or when specifically authorized in writing by the Commission.
- (e) The licensee of any station in these services may, during a period of emergency in which the normal communication facilities are disrupted as a result of hurricane, flood, earthquake, or similar disaster, utilize such station for emergency communication without regard to the limitations of this section: *Provided*, That:
- (1) As soon as possible after the beginning of such emergency use, notice be sent to the Commission in Washington, D. C., and to the Engineer in Charge of the Radio District in which the station is located, stating the nature of the emergency and the use to which the station is being put;
- (2) The emergency use of the station shall be discontinued as soon as substantially normal communication facilities are again available, and the Commission in Washington, D. C., and the Engineer in Charge be notified immediately when such special use of the station is terminated; and
- nated; and
 (3) The Commission may at any time order the discontinuance of such special use of the authorized facilities.
- (f) Tests may be conducted by any licensed station, as required for proper station and system maintenance, but such tests shall be kept to a minimum and precautions shall be taken to avoid interference to other stations.
- § 16.152 Station identification. (a) A base station or mobile in the Land Transportation Service must be identified at the end of each transmission, except, that in event of a continued exchange of communications, identifications shall be made at the end of a series of such transmissions or at the end of each 15-minute period if the exchange continues without substantial interruption.
- (b) Identification shall be by assigned call letters unless a different method is specifically authorized by the Commission. Licensees may submit to the Commission's Engineer in Charge of the local area a proposal for special mobile unit designations and, upon receipt from the Commission of a notification or authorization, may identify individual mobile units by this method in lieu of the use of assigned call letters. However, this authority will not be granted in those cases where there is a possibility of harmful international interference, such as might be caused by stations operating on frequencies below 50 Mc. or stations operating in areas within 50 miles of an international boundary, or in those instances where it appears to the Engineer in Charge that the proposed method of identification will not serve to clearly distinguish the mobile units of the ap-

plicant from the mobile units of other licensees in the area.

- (c) Stations in the Railroad Radio Service may be identified, in lieu of the use of assigned call letters, by the name of the railroad and the train number. caboose number, engine number or name of fixed wayside station; or, if that is not practicable, by such other number or name as may be specified by the railroad concerned for the use of employees of the railroad to identify the fixed point or mobile unit. Where identification is made other than by train number, caboose number or engine number, a list of such identification shall be maintained by the railroad. An abbreviated name or initial letters of the railroad may be used where such name or initial letters are in general usage. In those cases where it is shown that no difficulty would be encountered in identifying the transmissions of a particular station, as for example where stations of one licensee are located in a yard isolated from other radio installations, approval may be given to a request of the licensee for permission to omit station identification.
- § 16.153 Suspension of transmissions required. The radiations of the transmitter shall be suspended immediately upon detection or notification of a deviation from the technical requirements of the station authorization until such deviation is corrected, except for transmissions concerning the immediate safety of life or property, in which case the transmissions shall be suspended as soon as the emergency is terminated.
- § 16.154 Operator requirements. (a) All transmitter adjustments or tests during or coincident with the installation. servicing, or maintenance of a radio station, which may affect the proper operation of such station, shall be made by or under the immediate supervision and responsibility of a person holding a first or second class commercial radio operator license, either radiotelephone or radiotelegraph, who shall be responsible for the proper functioning of the station equipment: Provided, however That only persons holding a first or second class commercial radiotelegraph operator license shall perform such functions at radiotelegraph stations transmitting by any type of the Morse Code.
- (b) Except under the circumstances specified in paragraph (a) of this section, only a person holding a commercial radiotelegraph operator license or permit of any class issued by the Commission shall operate a station during the course of normal rendition of service when transmitting radiotelegraphy by any type of the Morse Code.
- (c) Except under the circumstances specified in paragraphs (a) and (b) of this section, except as limited by paragraphs (g) through (j) of this section, an unlicensed person may operate a mobile station during the course of normal rendition of service when transmitting on frequencies above 25 Mc. after being authorized to do so by the station licensee.
- (d) Except under the circumstances specified in paragraphs (a) and (b) of this section, except as limited by para-

graphs (g) through (j) of this section, only a person holding a commercial radio operator license or permit of any class issued by the Commission shall operate a mobile station during the course of normal rendition of service when transmitting on frequencies below 25 Mc.. Provided, however That an unlicensed person, after being authorized to do so by the station licensee, may operate such a mobile station during the course of normal rendition of service when transmitting on frequencies below 25 Mc. while it is associated with and under the operational control of a base station.

(e) Except under the circumstances specified in § 16.354 and in paragraphs (a) and (b) of this section and except as limited by paragraphs (g) through (j) of this section, base stations and fixed stations shall be operated in accordance with the following when transmitting during the course of normal rendition of service:

(1) From a control point, only a person holding a commercial radio operator license or permit of any class issued by the Commission shall operate a base station or fixed station.

(2) From a dispatch point, an unlicensed person may operate a base station or fixed station after being authorized to do so by the station licensee: Provided, however That such operation shall be under the direct supervision and responsibility of a person who (i) holds a commercial radio operator license or permit of any class issued by the Commission, and who (ii) is on duty at a control point meeting the requirements of Subpart C of this part.

(f) Except under the circumstances specified in paragraph (a) of this section, except as limited by paragraphs (g) through (j) of this section, no person, whether or not a licensed operator, is required to be in attendance at a station when transmitting during the course of normal rendition of service and when either (1) transmitting for telemetering purposes or (2) retransmitting by selfactuating means a radio signal received from another radio station or stations.

(g) The provisions of this section authorizing certain unlicensed persons to operate certain stations when transmitting during the course of normal rendition of service, shall be applicable only to stations in the domestic service except that the provisions of paragraph (e) (2) of this section shall be applicable to stations in either the domestic or international service. For the purposes of this section, a station in the domestic service is one which is located within the United States, its territories or possessions and which, when communicating with other stations, is in communication exclusively with one or more other United States stations which are also located in the United States, its territories or possessions; a station in the International service is one which is not in the domestic service as just defined.

(h) The provisions of this section authorizing certain unlicensed persons to operate mobile stations shall not be construed to change or diminish in any respect the responsibility of station li-

censees to have and to maintain control over the stations licensed to them (including all transmitter units thereof) or for the proper functioning and operation of those stations (including all transmitter units thereof) in accordance with the terms of the licenses of those stations.

(i) Notwithstanding any other provisions of this section, unless the transmitter is so designed that none of the operations necessary to be performed during the course of normal rendition of service may cause off-frequency operation or result in any unauthorized radiation, such transmitter shall be operated by a person holding a first or second class commercial radio operator license (either radiotelephone or radiotelegraph as may be appropriate for the type of emission being used) issued by the Commission.

(j) Any reference in this section to a commercial radio operator license or permit of any class issued by the Commission shall not be construed to include Aircraft Radiotelephone Operator Authorizations.

§ 16.155 Posting of operator license. (a) The original license of each base or fixed station operator, other than an operator exclusively performing service and maintenance duties, shall be posted or kept immediately available at the place where he is on duty as an operator: Provided, however, That if an operator who is on duty holds a restricted radiotelephone operator permit of the card form (as distinguished from such document of the diploma form) or holds a valid license verification card (FCC Form 758-F) attesting to the existence of any other valid commercial radio operator license, he may have such permit or verification card, as the case may be, in his personal possession in lieu of complying with the above requirement.

(b) Whenever a licensed operator is required for a mobile station, the original license of each such operator, other than an operator exclusively performing service and maintenance duties, shall be kept in his personal possession whenever he performs the duties of an operator at such station: Provided, That in lieu of an original license of the diploma form (as distinguished from such document of the card form) he may have in his personal possession a valid verification card attesting to its existence.

(c) The original license of every station operator who exclusively performs service and maintenance duties at that station shall be posted at the transmitter in nactual operation while service or maintenance work is being performed by him or under his immediate supervision and responsibility *Provided*, That in lieu of posting his license, he may have on his person his license or a valid verification card.

§ 16.156 Transmitter identification card and posting of station license. (a) The current authorization for each mobile station shall be retained as a permanent part of the station record, but need not be posted. A Transmitter Identification Card (FCC Form No. 452–

C, Revised) properly executed shall be affixed to each mobile transmitter or associated control equipment. When the transmitter is not in view from the control position or is not readily accessible for inspection, the identification card should be affixed to the control equipment at the transmitter operating position. The following information shall be entered on the card by the permittee or licensee:

(1) Name of permittee or licensee;

(2) Station call signal assigned by the Commission:

(3) Exact location or locations of the transmitter records:

(4) Frequency or frequencies on which the transmitter to which attached is adjusted to operate; and

(5) Signature of the permittee or licensee, or a designated official thereof. (b) The current authorization for each base or fixed station shall be posted at the principal control position of that station. except that in the Railroad Radio Service a licensee may post a full size photocopy in lieu of the original license. At all other control points listed on the station authorization, a photocopy of the authorization shall be posted. In addition, a Transmitter Identification Card (FCC Form No. 452-C, Revised) properly executed shall be affixed to each transmitter operated at a fixed location, when such transmitter is not in view from the control position or is not readily accessible for inspection.

§ 16.157 Inspection of stations. All stations and records of stations in these services shall be made available for inspection at any time while the station is in operation or shall be made available for inspection upon reasonable request of an authorized representative of the Commission.

§ 16.158 Inspection and maintenance of tower marking and associated control equipment. The licensee of any radio station which has an antenna structure required to be painted or illuminated pursuant to the provisions of section 303 (q) of the Communications Act of 1934, as amended, and/or Part 17 of this subchapter, shall operate and maintain the tower marking and associated control equipment in accordance with the following:

(a) The tower lights shall be observed at least once each 24 hours, either visually or by observing an automatic and properly maintained indicator designed to register any failure of such lights, to insure that all such lights are functioning properly as required; or, alternatively, there shall be provided and properly maintained an automatic alarm system designed to detect any failure of the tower lights and to provide indication of such failure to the licensee.

(b) Any observed or otherwise known failure of a code or rotating beacon light or top light not corrected within thirty minutes, regardless of the cause of such failure, shall be reported immediately by telephone or telegraph to the nearest Airways Communication Station or office of the Civil Aeronautics Administration. Further notification by telephone or telegraph shall be given immediately

upon resumption of the required illumination.

- (c) All automatic or mechanical control devices, indicators, and alarm systems associated with the tower lights shall be inspected at intervals not to exceed three months, to insure that such apparatus is functioning properly.
- (d) All lighting shall be exhibited from sunset to sunrise unless otherwise specified in the instrument of station authorization.
- (e) A sufficient supply of spare lamps shall be maintained for immediate replacement purposes at all times.
- (f) All towers shall be cleaned or repainted as often as is necessary to maintain good visibility.
- § 16.159 Answers to a notice of violation. Any licensee receiving official notice of a violation of the terms of the Communications Act of 1934, as amended, any legislative act or treaty to which the United States is a party, or the rules and regulations of the Federal Communications Commission, shall, within 3 days from such receipt, send a written answer to the office of the Commission originating the official notice. If an answer cannot be sent, or an acknowledgment made within such 3day period, acknowledgment and answer shall be made at the earliest practicable date with a satisfactory explanation of the delay. The answer to each notice shall be complete in itself and shall not be abbreviated by reference to other communications or answers to other notices. The reply shall set forth the steps taken to prevent a recurrence of improper operation.
- § 16.160 Station records. Each licensee in these services shall maintain station records in accordance with the following:
- (a) For all stations, the results and dates of the transmitter measurements required by § 16.108, and the name of the person or persons making the measurements.
- (b) For all stations, when service or maintenance duties are performed which may affect their proper operation, the responsible operator shall sign and date an entry in the station record concerned, giving:
- (1) Pertinent details of all duties performed by him or under his supervision;
 - (2) His name and address; and
- (3) The class, serial number, and expiration date of his license: Provided, however That the information called for under subparagraphs (2) and (3) of this paragraph, so long as it remains unchanged, is not required to be repeated in the case of a person who is regularly employed on a full-time basis at the station.
- (c) For base stations and fixed stations at which licensed operators are required, the name or names of persons responsible for the operation of the transmitting equipment each day, together with the period of their duty.
- (d) For base stations at which licensed operators are required when they communicate with other base stations or with fixed stations:
 - (1) Call signal of other station;

- (2) Nature of such communications; and
- (3) Date, time, and approximate duration of each transmission.
- (e) When a Base Station or Fixed Station has an antenna structure which is required to be illuminated, appropriate entries shall be made as follows:
- (1) The time the tower lights are turned on and off each day if manually controlled.
- (2) The time the daily check of proper operation of the tower lights was made.
- (3) In the event of any observed or otherwise known failure of a tower light:
 - (i) Nature of such failure.
- (ii) Date and time the failure was observed or otherwise noted.
- (iii) Date, time and nature of the adjustments, repairs, or replacements made.
- (iv) Identification of Airways Communication Station (Civil Aeronautics Administration) notified of the failure of any code or rotating beacon light not corrected within thirty minutes, and the date and time such notice was given.
- (v) Date and time notice was given to the Airways Communication Station (Civil Aeronautics Administration) that the required illumination was resumed.
- (4) Upon completion of the threemonth periodic inspection required by § 16.158:
- (i) The date of the inspection and the condition of all tower lights and associated tower lighting control devices, indicators and alarm systems.
- (ii) Any adjustments, replacements, or repairs made to insure compliance with the lighting requirements and the date such adjustments, replacements, or repairs were made.
- (f) The records shall be kept in an orderly manner, and in such detail that the data required are readily available. Key letters or abbreviations may be used if proper meaning or explanation is set forth in the record.
- (g) Each entry in the records of each station shall be signed by a person qualified to do so by reason of having actual knowledge of the facts to be recorded.
- (h) No record or portion thereof shall be erased, obliterated or wilfully destroyed within the required retention period. Any necessary correction may be made only by the person originating the entry, who shall strike out the erroneous portion, initial the correction made and indicate the date of correction.
- (i) Records required by this part shall be retained by the licensee for a period of at least one year.

SUBPART E-DEVELOPMENTAL OPERATION

- § 16.201 Eligibility. An authorization for developmental operation in any of the services under this part will be issued only to those persons who are eligible to operate stations in such service on a regular basis.
- § 16.202 Showing required. (a) Except as provided in paragraph (b) of this section, each application for developmental operation shall be accompanied by a showing that:
- (1) The applicant has an organized plan of development leading to a specific objective.

- (2) A point has been reached in the program where actual transmission by radio is essential to the further progress thereof.
- (3) The program has reasonable promise of substantial contribution to the expansion or extension of the radio art, or is along lines not already investigated.
- (4) The program will be conducted by qualified personnel.
- (5) The applicant is legally and financially qualified, and possesses adequate technical facilities for conduct of the program as proposed; and
- (6) The public interest, convenience, or necessity will be served by the proposed operation.
- (b) The provisions of paragraph (a) of this section do not apply when an application is made for developmental operation solely for the reason that the frequency requested is limited to developmental use.
- § 16.203 Limitations on use. Stations used for developmental operation shall be constructed and used in such a manner as to conform with all of the technical and operating requirements of Subparts C and D of this part, unless deviation therefrom is specifically provided in the instrument of authorization.
- § 16.204 Frequencies available for assignment. Stations engaged in developmental operation may be authorized to use a frequency, or frequencies, available for the particular service in which they propose to operate. The number of channels assigned will depend upon the specific requirements of the developmental program and the number of frequencies available in the particular area where the station will be operated.
- § 16.205 Interference. The operation of any station engaged in developmental work shall be subject to the condition that no harmful interference is caused to the operation of stations licensed on a regular basis under any part of the Commission's rules.
- § 16.206 Special provisions. (a) The developmental program as described by the applicant in the application for authorization shall be substantially followed unless the Commission shall otherwise direct.
- (b) Where some phases of the developmental program are not covered by the general rules of the Commission and the rules in this part, the Commission may specify supplemental or additional requirements or conditions in each case, as deemed necessary in the public interest, convenience, or necessity.
- (c) The Commission may, from time to time, require a station engaged in developmental work to conduct special tests which are reasonable and desirable to the authorized developmental program.
- § 16.207 Authorization subject to change or cancellation. Supplementary statement required. Every application for authority to engage in developmental operation shall be accompanied by a statement signed by the applicant in which it is agreed that any authorization issued pursuant thereto will be accepted

with the express understanding of the applicant that it is subject to change in any of its terms or to cancellation in its entirety at any time, upon reasonable notice but without a hearing, if, in the opinion of the Commission, circumstances should so require.

§ 16.208 Report of operation. A report on the results of the developmental program shall be filed with and made a part of each application for renewal of authorization, or in cases where no renewal is requested, such report shall be filed within 60 days of the expiration of such authorization. Matters which the applicant does not wish to disclose publicly may be so labeled; they will be used solely for the Commission's information, and will not be publicly disclosed without permission of the applicant. The report shall include comprehensive and detailed information on the following:

- (a) The final objective.
- (b) Results of operation to date.
- (c) Analysis of the results obtained.
- (d) Copies of any published reports.(e) Need for continuation of the program.
- (f) Number of hours of operation on each frequency.

SUBPART F-INTERCITY BUS RADIO SERVICE

§ 16.251 *Eligibility*. (a) The following persons are eligible to hold authorizations to operate radio stations in the Intercity Bus Radio Service:

(1) Persons regularly engaged in offering to the public a scheduled common carrier passenger land transportation service over public highways and primarily between established city terminals.

(2) A non-profit corporation or association organized for the purpose of furnishing a radiocommunication service solely to persons who are actually engaged in the activity set forth under subparagraph (1) of this paragraph.

(b) Each application for authority to operate in the Intercity Bus Radio Service shall be accompanied by a statement in detail sufficient to indicate clearly the applicant's eligibility under paragraph (a) of this section.

§ 16.252 Cooperative use of facilities. Only one base station will be authorized to serve a particular portion of a highway and such a station will be required to provide service without discrimination, but on a cooperative maintenance basis, to all bus common carriers eligible for authorizations in the Intercity Bus Radio Service. A licensee rendering such service may accept contributions to capital and operating expenses on a costsharing basis from persons to whom such service is furnished.

§ 16.253 Frequencies available for base and mobile stations. (a) The following frequencies are available for assignment to base and mobile stations in the Intercity Bus Radio Service only

Mc.	Mc.	Mc.	Mc.
43.70	43.86	44.02	44.18
43.74	43.90	44.06	44.22
43.78	43.94	44.10	44.26
43.82	43.98	44.14	44.30

(b) Frequencies in the bands listed below are available for assignment to base and mobile stations in the Intercity Bus Radio Service on a shared basis with other services, under the terms of a developmental grant only the exact frequency, or the authorized channel, will be specified in the authorization.

Mc. 2450-2500 C425-6573 3500-3700 11700-12200

Note: Use of frequencies in the band 2450-2500 Mc. is subject to no protection from interference due to the operation of industrial, scientific, and medical devices on the frequency 2450 Mc.

§ 16.254 Frequencies available for fixed stations. (a) Subject to the condition that no harmful interference will be caused to reception of television channel 4 or 5, the following frequencies are available for assignment to fixed stations in the Intercity Bus Radio Service on a shared basis with other services:

Mc.	Mc.	Zfc.	Zfc.
72.02	72.82	73.62	74.42
72.06	72.86	73.66	74.46
72.10	72.90	73.70	74.50
72.14	72.94	73.74	74.54
72.18	72.98	73.78	74.58
72,22	73.03	73.82	75.42
72.26	73.08	73.86	75.46
72.30	73.10	73.90	75.50
72.34	73.14	73.94	75.54
72.38	73.18	73.98	7 5.58
72.43	73.22	74.02	75.62
72.46	73.26	74.05	75.C6
72.50	73.30	74.10	75.70
72.54	73.34	74.14	75.74
72.58	73.38	74.18	75.78
72.62	73.42	74.22	75.82
72.66	73.46	74.26	75.86
72.70	73.50	74.30	75.90
72.74	73.54	74.34	75.94
72.78	73.58	74.38	75.98

(b) Frequencies in the bands listed below are available for assignment to fixed stations in the Intercity Bus Radio Service on a shared basis with other services, under the terms of a developmental grant only the exact frequency or the authorized channel, will be specified in the authorization.

Mc.	*Zfc.
952- 960	6575 C875
1850-1990	12200-12700
2110-2200	16000-18000
2450-2500	26000-30000
2500 2700	

Note: Use of frequencies in the hands 2450-2500, and 17850-18000 Mc. is subject to no protection from interference due to the operation of industrial, scientific, and medical devices on the frequencies 2450-18000 Mc.

SUBPART G-HIGHWAY TRUCK RADIO SERVICE

§ 16.301 Eligibility. (a) The following persons are eligible to hold authorizations to operate radio stations in the Highway Truck Radio Service.

(1) Persons regularly engaged in the operation of trucks on a route basis outside of metropolitan areas. This service is not available for truck routes within a single metropolitan area.

(2) A nonprofit corporation or association organized for the purpose of furnishing a radiocommunication service solely to persons who are actually engaged in the activity set forth under subparagraph (1) of this paragraph.

(b) Each application for authority to operate in the Highway Truck Radio Service shall be accompanied by a statement in detail sufficient to indicate clearly the applicant's eligibility under paragraph (a) of this section.

§ 16.302 Frequencies available for base and mobile stations. (a) The following frequencies are available for assignment to base and mobile stations in the Highway Truck Radio Service in accordance with a geographical assignment plan:

Mc. Mc. Mc. Mc. 35.74 35.82 35.90 35.94 35.78

(b) The frequency 35.98 Mc. is available for assignment in all states to mobile stations only.

(c) Frequencies in the bands listed below are available for assignment to base and mobile stations in the Highway Truck Radio Service on a shared basis with other services under the terms of a developmental grant only the exact frequency or the authorized channel, will be specified in the authorization.

Mc. 2450–2500 6425–6570 3500–3700 11700–12200

Note: Use of frequencies in the band 2450-2500 Mc. is subject to no protection from interference due to the operation of industrial, ecientific and medical devices on the frequency 2450 Mc.

§ 16.303 Frequencies available for fixed stations. (a) Subject to the condition that no harmful interference will be caused to reception of television channel 4 or 5, the following frequencies are available for assignment to fixed stations in the Highway Truck Radio Service on a shared basis with other services:

Zfc.	Mc.	Mc.	Zīc.
72.02	72.83	73.62	74.42
72.03	72.86	73.66	74.46
72.10	72.90	73.70	74.50
72.14	72.94	73.74	74.54
72.18	72.93	73.78	74.53
72.22	73.02	73.82	75.42
72.26	73.08	73.88	75.46
72.30	73.10	73.90	75.50
72.34	73.14	73.94	75.54
72.38	73.18	73.98	75.53
72.42	73.22	74.02	75.62
72.46	73.2 6	74.08	75.68
72.50	73.30	74.10	75.70
72.54	73.34	74.14	75.74
72.58	73.38	74.18	75.78
72.62	73.42	74.22	75.82
72.E8	73.46	74.28	75.88
72.70	73.59	74.30	75.90
72.74	73.54	74.34	75.94
72.78	73.58	74.38	75.98

(b) Frequencies in the bands listed below are available for assignment to fixed stations in the Highway Truck Radio Service on a shared basis with other services, under the terms of a developmental grant only the exact frequency, or the authorized channel, will be specified in the authorization.

Mc.	Mc.	
952 860	6375 6375	
1850-1930	12209-12700	
2110-2200	16000-18000	
2459-2500	26000-38000	
2500-2700		

Norm: Use of frequencies in the bands 2450-2500 and 17850-18000 Mc., is subject

to no protection from interference due to the operation of industrial, scientific, and medical devices on the frequencies 2450 and 18000 Mc.

SUBPART H-RAILROAD RADIO SERVICE

§ 16.351 *Eligibility*. (a) The following persons are eligible to hold authorizations to operate radio stations in the Railroad Radio Service:

(1) Persons regularly engaged in offering to the public a passenger or freight transportation service by railroad common-carrier.

(2) A non-profit organization or association organized for the purpose of furnishing a radiocommunication service solely to persons who are actually engaged in the activity set forth under subparagraph (1) of this paragraph.

(b) Each application for authority to operate in the Railroad Radio Service shall be accompanied by a statement in detail sufficient to indicate clearly the applicant's eligibility under paragraph (a) of this section.

§ 16.352 Frequencies available for base and mobile stations. (a) Base and mobile radio stations used primarily for end to end, fixed point to train, or train to train communications in connection with the operation of railroad trains over a track or tracks extending through yards and between stations upon which trains are operated by timetable, train order, or both, or the use of which is governed by block signals may use the following frequencies:

Mc.	Mc.	Mc.	Mc.
159.51	160.17	160.77	161.37
159.57	160.23	160.83	161.43
159.63	169.29	160.89	161.49
159.69	160.35	160.95	161.55
159.75	160.41	161.01	161.61
159.81	160.47	161.07	161.67
159.87	160.53	161.13	161.73
159.93	169.59	161.19	161.79
159.99	160.65	161.25	¹ 161.85
160.05	160.71	161.31	160.11

¹ Available for assignment in Chicago area only.

These frequencies may also be used on a secondary basis for intercommunication between adjacent base stations, provided interference is not caused to communications involving radio stations aboard railroad rolling stock.

(b) All frequencies in paragraph (a) of this section may also be assigned to base and mobile stations to be operated primarily within railroad yards, terminal areas, or to be used for communications which are of a practical necessity in connection with railroad operation and maintenance, provided, interference is not caused to stations eligible under the provisions of paragraph (a) of this section. However, each application requesting the assignment of 159.57, 159.81. 160.53, 161.01, 161.31 or 161.67 Mc. must outline circumstances which indicate that the proposed operation will not interfere with the use of the frequencies by stations authorized under paragraph (a) of this section.

(c) For the purpose of developmental operations, the following frequencies are available for assignment to base and mobile stations in the Railroad Radio Service, on a shared basis with stations in the Urban Transit Radio Service;

 Mc.
 Mc.
 Mc.
 Mc.

 453.05
 453.25
 453.45
 453.65

 453.15
 453.35
 453.55
 453.75

(d) Frequencies in the bands listed below are available for assignment to base and mobile stations for developmental operations in the Railroad Radio Service, on a shared basis with other services. The exact frequency, and the authorized bandwidth, will be specified in the authorization.

Mo.	Mc.
2450-2500	6425→ 6575
3500-3700	11700-12200

Note: Use of frequencies in the band 2450 to 2500 Mc. is subject to no protection from interference due to the operation of industrial, scientific, and medical devices on the frequency 2450 Mc.

§ 16.353 Frequencies available for fixed stations. (a) Subject to the condition that no harmful interference will be caused to reception of television channel 4 or 5, the following frequencies are available for assignment to fixed stations in the Railroad Radio Service on a shared basis with other services:

Mc.	Mc.	Mc.	Mc.
72.02	72.82	73.62	74.42
72.06	72.86	73.66	74.46
72.10	72.90	73.70	74.50
72.14	72.94	73.74	74.54
72.18	72.98	73.78	74.58
72:22	73.02	73.82	75.42
72.26	73.06	73.86	75.46
72.30	73.10	73.90	75.50
72.34	73.14	73.94	75.54
72.38	73.18	73.98	75.58
72.42	73.22	74.02	75.62
72.46	73.26	74.06	75.66
72.50	73.30	74.10	75.70
72.54	73.34	74.14	75.74
72.58	73.38	74.18	75.78
72.62	73.42	74.22	75.82
72.66	73.46	74.26	75.86
72.70	73.50	74.30	75.90
72.74	73.54	74.34	75.9 4
72.78	73.58	74.38	75.98

(b) Frequencies in the bands listed below are available for assignment to fixed stations for developmental operations in the Railroad Radio Service on a shared basis with other services. The exact frequency or the authorized channel, will be specified in the authorization.

Mc.	Mc.
952 960	6575- 6875
1850-1990	12200-12700
2110-2200	16000-18000
2450-2500	26000-30000
2500-2700	

Note: Use of frequencies in the bands 2450-2500, and 17850-18000 Mc. is subject to no protection from interference due to the operation of industrial, scientific, and medical devices on the frequencies 2450 and 18000 Mc.

§ 16.354. Operator requirements, fixed and base stations. (a) Notwithstanding the provisions of § 16.154 (e) the employees of Class I, II and III railroads of the United States may, without holding any class of commercial radio operator license issued by the Commission, operate fixed stations and base stations in the Railroad Radio Service when specifically authorized to do so by the station licensee: Provided, however That:

(1) The terms of this section shall apply only to the employees of those railroads which shall have adopted and published Railroad Radio General and

Operating Rules in a form which has been approved by the Commission, and

(2) The terms of this section shall apply only to those railroad employees who shall have successfully passed an examination given by railroad examiners on the applicable Railroad Radio General and Operating Rules. The first such examination shall be given prior to the operation of any radio transmitting apparatus by the employee and re-examinations shall thereafter be given at intervals not in excess of two years.

(3) The terms of this section shall apply only to the employees of those railroads who maintain suitable records showing the name and position of each employee who has been examined with respect to the applicable Railroad Radio General and Operating Rules, the date of the employee's last successfully completed examination and the name of the railroad examiner. Such records shall be made available to duly accredited representatives of the Federal Communications Commission upon request.

(b) The provisions of this section authorizing certain unlicensed persons to operate fixed and base stations in the Railroad Radio Service shall not be construed to change or diminish in any respect the responsibility of station licensees to have and maintain control over the stations licensed to them (including all transmitter units thereof), or for the proper functioning and operation of those stations (including all transmitter units thereof) in accordance with the terms of the licenses of those stations.

§ 16.355 Relay stations—(a) General. Relay stations are used to extend the range of communication between another radio station and the point with which it is desired to communicate. For the purposes of the rules in this part, there are two types of relay stations: Mobile relay stations and fixed relay stations. For definitions, see § 16.6.

(b) Mobile relay stations. The policies governing authorization and operation of this type of relay station are as follows:

(1) Each application for a new mobile relay station authorization shall be accompanied by a satisfactory showing that the applicant has a substantial requirement for prompt mobile-to-mobile communication over ranges greater than can be realized consistently by direct communication on the frequency presently assigned, or in the case of a proposed new radio system, on any available frequency. (Except for radio systems in railroad yard or terminal areas, range measurements obtained by use of low-power transmitters of the hand-carried or pack-carried type will not be accepted in satisfaction of the requirements of this subparagraph.)

(2) A mobile relay station may be authorized to operate on any mobile service frequency available for assignment to base stations.

(3) Each mobile relay station shall be so designed and installed that it normally will be activated only by means of a coded signal or signals or such other means as will effectively prevent its activation by undesired signals: *Pro-*

vided, however That this requirement may be waived when both of the following conditions are met:

(i) The radio system is shown to be so designed that the mobile relay station normally is capable of activation only by signals received on frequencies above 50 Mc; and

(ii) The applicant for a mobile relay station authorization either verifies that no person having equal rights to the frequency in question is operating on the mobile relay station frequency within a radius of seventy-five miles of the proposed mobile relay station location or, alternatively, obtains and submits with the application the written consent of each such person to installation of the proposed mobile relay station and its operation on a regular basis for a trial period of one year from the date a station license is granted by the Commission.

In any event, a waiver granted under the provisions of this subparagraph may be cancelled after ninety days notice by the Commission if it develops that the mobile relay station is, in fact, consistently activated by undesired signals and thereby causes harmful interference to other licensees.

- (4) Each mobile relay station shall be so designed and installed that it will be deactivated automatically when its associated receiver or receivers are not receiving a signal on the frequency or frequencies which normally activate it.
- (5) Each mobile relay station required by the terms of subparagraph (3) of this paragraph to be activated by a coded signal shall be so designed and installed that it will be deactivated upon receipt or cessation of a coded signal or signals, and, in addition, shall be provided with an automatic time-delay or clock device which will deactivate the station not more than three minutes after its activation.
- (6) A mobile station associated with one or more mobile relay stations may be authorized to operate on any available mobile service frequency.
- (7) An operational fixed (control) station associated with one or more mobile relay stations may be assigned any frequency available for assignment to operational fixed stations or, at the option of the applicant, the mobile service frequency assigned to the associated mobile station. Use of the mobile service frequency by such operational fixed (control) stations is subject to the condition that harmful interference shall not be caused to stations of other licensees operating in the mobile service in accordance with the table of frequency allocations as set forth in Part 2 of this chapter
- (8) In any radio system which employs more than one mobile relay station, where there is a requirement that stations in the vicinity of one mobile relay station be able to communicate automatically with stations in the vicinity of other mobile relay stations, any necessary circuits for interconnection of the mobile relay stations shall be provided by means of wire lines or radio stations operating on fixed service frequencies.

(9) A base station which is used intermittently as an operational fixed (control) station for one or more associated mobile relay stations of the same licensee will be authorized to operate only on the mobile service frequencies assigned to the associated mobile relay station and/or mobile station. Special authority for such dual station classification and use must be shown in the instrument of station authorization.

(c) Fixed relay stations. Fixed relay stations will be authorized to operate only on frequencies available for use by operational fixed stations.

Subpart I—Taxicab radio service

§ 16.401 Eligibility. (a) The following persons are eligible to hold authorizations to operate radio stations in the Taxicab Radio Service:

(1) Persons regularly engaged in furnishing to the public for hire a non-scheduled passenger land transportation service not operated over a regular route or between established terminals.

(2) A non-profit corporation or association organized for the purpose of furnishing a radiocommunication service solely to persons who are actually engaged in the activity set forth under subparagraph (1) of this paragraph.

(b) Each application for authority to operate in the Taxicab Radio Service shall be accompanied by a statement in detail sufficient to indicate clearly the applicant's eligibility under paragraph (a) of this section.

§ 16.402 Frequencies available for base and mobile stations. (a) The following frequencies are available for assignment to base and mobile stations in the Taxicab Radio Service only. Not more than one base station frequency and one mobile station frequency will be assigned to a licensee, unless it clearly appears from a supplemental showing attached to the license application that the grant of an additional frequency or frequencies would be in the public interest by reason of a cooperative arrangement of local taxicab interests or other special circumstances.

Base	and mobile	Mobile only
	(Mc.)	(Mc.)
	152.27	157.53
	152.33	157.59
	152,39	157.65
	152.45	157.71

(b) The following frequencies are available for assignment to base and mobile stations for developmental operations in the Taxicab Radio Service:

Mc.	Mc.	Zſc.	Mc.
452.05	452.35	452.65	452.95
452.15	452.45	452.75	
452.25	452.55	452.85	

(c) Frequencies in the bands listed below are available for assignment to base and mobile stations for developmental operations in the Taxicab Radio Service, on a shared basis with other services. The exact frequency, and the authorized bandwidth, will be specified in the authorization.

Now: Use of frequencies in the band 2459-2590 Me. is subject to no protection from interference due to the operation of industrial, ccientific, and medical devices on the frequency 2450 Me.

§ 16.403 Limitation on installation of mobile units. Mobile units in this service may be installed in vehicles used for the carriage of passengers, vehicles used to tow, repair and maintain such vehicles and in vehicles used in the performance of emergency or safety functions by such persons as supervisors having the duty to regulate, divert, and allocate cabs upon streets, to police and guide drivers and cabs and to facilitate the movements of cabs on the streets in the interest of public safety. Provided, however, That such latter vehicles shall bear the name of the cab company and an appropriate number in the same manner and type of printing used on the vehicles for the carriage of passengers.

SUBPART J-URBAN TRANSIT RADIO SERVICE

§ 16.451 Eligibility. (a) The following persons are eligible to hold authorizations to operate radio stations in the Urban Transit Radio Service.

(1) Persons regularly engaged in furnishing scheduled common-carrier public passenger land transportation service along fixed routes primarily within urban or suburban communities.

(2) A non-profit corporation or association organized for the purpose of furnishing a radiocommunication service solely to persons who are actually engaged in the activity set forth under subparagraph (1) of this paragraph.

(b) Each application for authority to operate in the Urban Transit Radio Service shall be accompanied by a statement in detail sufficient to indicate clearly the applicant's eligibility under paragraph (a) of this section.

§ 16.452 Frequencies available for base and mobile stations. (a) The following frequencies are available for assignment in the Urban Transit Radio Service only-

. Lic.	Mc.	LIC.	LIC.
44.34	44.42	44.50	44.58
44.38	44.46	44.54	

(b) The following frequencies are available for assignment on a shared basis with other services:

Mc.	Mc.	Mc.	Mc.
30.66	30.82	30.98	31.14
30.70	30.86	31.02	
30.74	30.90	31.06	
30.78	30.94	31.10	

(c) The following frequencies are available for assignment for developmental operations on a shared basis with stations in the Railroad Radio Service:

Mc.	Mc.	Mc.	Mc.
453.05	453.25	453.45	453.65
452.15	459 25	452 EE	450 FE

(d) Frequencies in the bands listed below are available for assignment for developmental operations on a shared basis with other services. The exact frequency and the authorized bandwidth will be specified in the authorization.

MC.	Mc.	
2450-2500	6425- 6575	
3500-3700	11700-12200	

Note: Use of frequencies in the band 2450-2500 Mc. is subject to no protection from

interference due to the operation of industrial, scientific, and medical devices on the frequency 2450 Mc.

§ 16.453 Frequencies available for fixed stations. (a) Subject to the condition that no harmful interference will be caused to reception of television channel 4 or 5, the following frequencies are available for assignment to fixed stations in the Urban Transit Radio Service on a shared basis with other services:

Mc. 72.02 72.06 72.10 72.14 72.18 72.22 72.26 72.30 72.34 72.38 72.42 72.46 72.50 72.54 72.50 72.54 72.62 72.66 72.70	Mc. 72.82 72.86 72.90 72.94 72.98 73.06 73.10 73.14 73.18 73.22 73.26 73.30 73.34 73.38 73.42 73.46 73.50	Mc. 73.62 73.66 73.70 73.74 73.78 73.82 73.86 73.90 73.94 74.02 74.06 74.10 74.14 74.18 74.22 74.26 74.30	Mc. 74.42 74.46 74.50 74.54 74.54 75.46 75.50 75.54 75.62 75.66 75.70 75.74 75.82 75.86 75.90

(b) Frequencies in the bands listed below are available for assignment to fixed stations for developmental operation in the Urban Transit Radio Service. on a shared basis with other services. The exact frequency, or the authorized channel, will be specified in the authorization.

Mc.	Mc.
952 960	6575- 6875
1850-1990	12200-12700
2110-2200	16000-18000
2450-2500	26000-30000
2500-2700	

Note: Use of frequencies in the bands 2450-2500 and 17850-18000 Mc. is subject to no protection from inteference due to the operation of industrial, scientific, and medical devices on the frequencies 2450 and 18000 Mc.

SUBPART K-AUTOMOBILE EMERGENCY RADIO SERVICE

§ 16.501 Eligibility. (a) The following persons are eligible to hold authorizations to operate radio stations in the Automobile Emergency Radio Service:

(1) Associations of owners of private automobiles which provide private emergency road service.

(2) Public garages operating emergency road service vehicles.

(3) A non-profit corporation or association organized for the purpose of furnishing a radiocommunication service solely to persons who are actually engaged in either of the activities set forth under subparagraphs (1) and (2) of this paragraph.

(b) Each application for authority to operate in the Automobile Emergency Radio Service shall be accompanied by a statement in detail sufficient to indicate clearly the applicant's eligibility under paragraph (a) of this section.

[15 F. R. 1693, Mar. 28, 1950]

§ 16.502 Permissible communications. Stations licensed under this subpart may transmit only the following types of communications:

(a) Any communication related to the safety of life or the protection of important property.

(b) Communications required for dispatching repair trucks to disabled vehicles.

§ 16.503 Frequencies available base and mobile stations. (a) The following frequency is available for assignment to base and mobile stations in the Automobile Emergency Radio Service:

35.70 Mc.

(b) The following frequencies are available for assignment to base and mobile stations for developmental operations in the Automobile Emergency Radio Service:

453.85 Mc. (available to automobile associations only). 453.95 Mc. (available to public garages only). [F. R. Doc. 53-2500; Filed, Mar. 20, 1953; 8:51 a. m.]

TITLE 5-ADMINISTRATIVE **PERSONNEL**

Chapter I—Civil Service Commission

PART 30-ANNUAL AND SICK LEAVE REGULATIONS

OVERDRAWN ANNUAL LEAVE

Section 30.301 is added as follows:

§ 30.301 Overdrawn annual leave. Whenever, at the end of the last complete pay period in the year, reductions in annual leave accruals under § 30.204 result in a final debit in the annual leave account, the excess amount may be carried forward for charge against leave earned in the following year, or, in the discretion of the employing agency, the employee may be required to refund the amount paid him for the period of such This regulation may be applied excess. to debits at the end of the 1952 leave

(Sec. 7, 49 Stat. 1162; 5 U. S. C. 30e, E. O. 9414, Jan. 13, 1944, 9 F. R. 623, 3 CFR 1944 Supp.)

> UNITED STATES CIVIL SERV-ICE COMMISSION.

[SEAL]

C. L. EDWARDS, Executive Director

[F. R. Doc. 53-2477; Filed, Mar. 20, 1953; 8:45 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Lemon Reg. 477]

PART 953-LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.584 Lemon Regulation 477—(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 14 F R. 3612) regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S. C. 601 et seq.) and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity/of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237 · 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended marketing agreement and order the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on March 18, 1953; such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesald recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special proparation on the part of persons subject thereto which cannot be completed by the effective time of this section.

(b) Order (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P s. t., March 22, 1953, and ending at 12:01 a.m., P s. t., March 29, 1953, is hereby fixed as follows:

(i) District 1. Unlimited movement;(ii) District 2: 250 carloads;

(iii) District 3: Unlimited movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "carloads," "prorate base,"
"District 1," "District 2" and "District 3," shall have the same meaning as when used in the said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C.

Done at Washington, D. C., this 19th. day of March 1953.

S. R. SMITH, Director Fruit and Vegetable Branch, Production and Marketing Administration.

PROBATE BASE SCHEDULE

DISTRICT NO. 2

³ .[Storage date: Mar. 15, 1953]

[12:01 a. m., Mar. 22, 1953, to 12:01 a. m., Apr. 5, 1953]

Prorate base 100

	rorate base
	percent)
Total	100.000
American Fruit Growers, In	c.,
Corona	652
CoronaAmerican Fruit Growers, Inc., Fu	u-
American Fruit Growers, Inc., U	p-
land	687
Consolidated Lemon Co	1.738
Hazeltine Packing Co	1.071
Ventura Coastal Lemon Co	2.277
Ventura Pacific Co Chula Vista Mutual Lemon Co	1.876
Chula Vista Mutual Lemon Co	754
Index Mutual Association	
La Verne Cooperative Citrus Associ	
tion	3. 613
Ventura County Orange & Leme	on.
Association	1.640
Glendora Lemon Growers Associ	a-
tion	2.547
Le Verne Lemon Association	836
La Habra Citrus Association	
Yorba Linda Citrus Association	n,
The	527
Escondido Lemon Association Cucamonga Mesa Growers	4.794
Cucamonga Mesa Growers	2.691
Etiwanda Citrus Fruit Association	.510
San Dimas Lemon Association	1.929
Triber & Tomon Crowser Accessories	n. 8.036
Opiand Lemon Growers Association	1.075
Upland Lemon Growers Association Central Lemon Association Irvine Citrus Association	1.013
Irvine Citrus Association	838
Placentia Mutual Orange Associ	a- 1 014
tion	1.214,
Corona Citrus Association	743
Corona Foothill Lemon Co	
Jameson Co	1.639
Arlington Heights Citrus Co	1.516
College Heights Orange & Lem	on.
Association	0. 193
Chula Vista Citrus Association	
Escondido Cooperative Citrus Ass	so -
ciationFallbrook Citrus Association	310
Fallbrook Citrus Association	2.285
Lemon Grove Citrus Association	583
Carpinteria Lemon Association	1.311
Carpinteria Lemon Association Carpinteria Mutual Citrus Associ	a-
Tion	1.517
Goleta Lemon Association	2.853
Johnston Fruit Co	4.151
North Whittier Heights Citrus A	\S-
Con Formando Heights Lemon A	•000
San Fernando Heights Lemon A	5. 453
Sierra Madre-Lamanda Citrus A	
Sociation Briggs Lemon Association Culbertson Lemon Association	1.053
Briggs Lemon Association	1.003
Culbertson Lemon Association	620
Fillmore Lemon Association Oxnard Citrus Association Rancho Sespe Santa Clara Lemon Association	1.189
Oxnard Citrus Association	3.874
Rancho Sespe	688
Santa Clara Lemon Association	2.547
Santa Paula Citrus Fruit Associ	LCV
tion	1.574
Saticoy Lemon Association	2.002
Saticoy Lemon Association Seaboard Lemon Association	3.727

PRODATE BASE SCHEDULE-Continued pismicr no. 2-continued

PTOTAL	e 0056
Handler (perc	ent)
Somis Lemon Association	2.631
Ventura Citrus Association	. 657
Ventura County Citrus Association.	.477
Limoneira Co	1.218
Teague-McKevett Association	. 376
East Whittier Citrus Association	1.072
Murphy Ranch Co	1.322
Dunning Ranch	.000
Far West Produce Distributors	. 633
Huarte, Joseph D	. 024
Latimer, Harold	. 129
Paramount Citrus Association, Inc.	755
Santa Rosa Lemon Co	.098
Torn Ranch	.001
[F. R. Doc. 53-2540; Filed, Mar. 20, 8:45 a, m.]	1953; \

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter VI-National Production Authority, Department of Commerce

INPA Order M-E0, Amdt. 1 of March 20, 1953]

M-80-IRON AND STEEL-ALLOYING MA-TERIALS AND ALLOY PRODUCTS

DEFINITION OF MANGANESE

This amendment is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this amendment, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

This amendment affects NPA Order M-80, as last amended March 4, 1953, by amending the definition of manganese appearing in List I to read as follows:

6. Manganese means ferro-manganese, manganese metal, silicomanganese, silicospiegal, spiegelisen, and all other compositions used as sources of manganese in the manufacture of any alloy products. Ferro-manganese as used in the foregoing sentence includes standard manganese having content of 74 to 76 percent manganese, as well as the grade previously known as standard manganese with 78 to 82 percent manganese content.

(64 Stat. 816, Pub. Law 429, 82d Cong.; 50 Ŭ. S. C. App. Sup. 2154)

This amendment shall take effect March 20, 1953.

NATIONAL PRODUCTION AUTHORITY.

GEORGE W. AUXIER, Executive Secretary.

[F. R. Doc. 53-2550; Filed, Mar. 20, 1953; 10:35 a. m.]

[NPA Order M-16, as Amended March 20, 1953]

M-16-Distribution of Copper RAW MATERIALS

This order as amended is found necessary and appropriate to promote the national defense and is issued pursuant to

the Defense Production Act of 1950 as amended. In the formulation of this amended order, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations. However, consultation with representatives of all trades and industries has been rendered impracticable because the order affects a large number of different trades and industries.

EXPLANATORY

NPA Order M-16, as last amended by Amendment 1 of December 22, 1952, is hereby revised in the following respects:

1. The definition of "domestic refined copper" is deleted.

2. References throughout the order to "domestic" and "other" refined copper are deleted and the language conformed to refer to "refined" copper only.
3. Paragraphs (a) (b) (c) and (f)

of section 3 are amended.

4. The language contained in Direction 1 of October 1, 1952, is amended and incorporated into this order as a new section designated as section 4.

5. The provisions pertaining to the self-authorization procedure followed by certain foundries are amended.

6. The sections numbered 4 through 12 are redesignated as sections 5 through 13, respectively.

7. Amendment 1, dated December 22, 1952, is incorporated into the order as paragraph (f) of redesignated section 11.

8. The table appearing in section 3 of the order is amended in various respects. 9. Minor word changes are made in the

interest of clarity.

REGULATORY PROVISIONS

Ecc.

- 1. What this order does.
- 2. Definitions.
- 3. Acceptance of delivery of copper rav: materials.
- 4. Advance authorizations.
- 5. Self-authorization for certain foundries.
- 6. Restrictions on disposal of scrap.
- 7. Restrictions on inventory accumulations. 8. Restrictions on toll agreements.
- 9. Authorizations and directives.
- 10. Applications for adjustment or exception. 11. Records and reports.
- 12. Communications.
- 13. Violations.

AUTHORITY: Sections 1 to 13 issued under cec. 704, 64 Stat. 816, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2154. Interpret or apply cec. 101, 64 Stat. 789, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 P. R. 6105; 3 CFR, 6105; 1950 Supp.; cec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61; 3 CFR, 1951 Supp.; secs. 402, 405, E. O. 10231, Aug. 28, 1951, 16 F. R. 8789; 3 CFR, 1951 Supp.

SECTION 1. What this order does. The purpose of this order is to regulate the acceptance, delivery, and distribution of all copper raw materials (whether on toll agreements or otherwise) so as to provide an equitable distribution of such materials. It sets forth the classes of persons who may receive such maternals without specific authorization from the National Production Authority and the types of copper raw materials such persons may so receive, and provides for application by all other persons to the National Production Authority for specific

written authorization. It also limits toll agreements covering scrap and prohibits undue accumulation of scrap.

SEC. 2. Definitions. As used in this

- (a) "Person" means any individual, corporation, partnership, association, or any other organized group of persons, and includes any agency of the United States or any other government.
- (b) "Copper" means unalloyed copper, including electrolytic copper, fire-refined copper, and all unalloyed copper in any form.
- (c) "Copper-base alloy" means any alloy in the composition of which the percentage of copper metal equals or exceeds 40 percent by weight of the me-tallic content of the alloy. It includes fired and demilitarized cartridge and artillery cases, and all copper-base alloy in any form. It does not include alloyed gold produced in accordance with U.S. Commercial Standard CS 67-38.
- (d) "Scrap" means all copper or copper-base alloy materials or objects which are the waste or byproduct of industrial fabrication, or which have been discarded on account of obsolescence, failure, or other reason:
- (e) "Copper wire mill product" means uninsulated or insulated wire and cable, whatever the outer protective coverings may be, made from copper or copperbase alloy, and also copper-clad steel wire containing over 20 percent copper by weight, regardless of end use. All copper wire mill products should be measured in terms of pounds of copper content.
- (f) "Brass mill products" means copper and copper-base alloys in the following forms: sheet, plate, and strip, in flat lengths or coils; rod, bar, shapes, and wire (except copper wire mill products) anodes, rolled, forged, or sheared from cathodes; and seamless tube and pipe. Straightening, threading, chamfering, and cutting to width and length, and reduction in gage, do not constitute changes in form of brass mill products except as determined by NPA. The following related products which have been produced by a change in form of brass mill products are not included in the definition of brass mill products:

Circles.

Discs (except brass military ammunition discs after June 30, 1952).

Cups (except brass military ammunition cups

after June 30, 1952). Blanks and segments. Forgings (except anodes).

Welding rod, 3 feet or less in length.

Rotating bands.

Tube and nipples-welded, brazed, or mechanically seamed.

Formed flashings. Engravers' copper.

Allotments for the purpose of producing such related products shall be in terms of the estimated weight of the brass mill product from which such related product is made.

(g) "Foundry product" means cast copper or copper-base alloy shapes and forms suitable for ultimate use without remelting, rolling, drawing, extruding, or forging. (The process of casting includes the removal of gates, risers, and sprues, and sandblasting, tumbling, or

dipping, but does not include any further machining or processing. For centrifugal castings the process includes the removal of the rough cut in the inner or outer diameter, or both, before delivery to a customer. Castings include anodes cast in a foundry or by an ingot maker)

(h) "Powder mill products" means copper or copper-base alloy in the form of granular or flake powder.

(i) "Copper raw materials" as used in this order includes the following materials as defined below.

- (1) "Refined copper"-Copper metal which has been refined by any process of electrolysis or fire-refining to a grade and in a form suitable for fabrication, such as cathodes, wire bars, ingot bars, ingots, cakes, billets, or other refined shapes. This does not include copperbase alloy ingot, brass mill castings, intermediate shapes, anodes, powder mill products, copper wire mill products, brass mill products, or foundry copper or copper-base alloy products.
- (2) "Blister copper"—High-grade crude copper in any form produced from converter operations and from which nearly all the oxidizable impurities have been removed by slagging and volatilization.
- (3) "Brass mill scrap"—Uncontaminated scrap which is the waste or byproduct of the production or industry fabrication of brass mill products or copper wire mill products. It includes uncontaminated fired and demilitarized cartridge and artillery cases.
- (4) "Other copper-base alloy scrap"-Alloyed copper scrap other than brass mill scrap. It includes contaminated fired and demilitarized cartridge and artillery cases.
- (5) "Other unalloyed copper scrap"— Unalloyed copper scrap other than brass mill scrap.
- (6) "Fired and demilitarized cartridge and artillery 'cases''—Fired and demilitarized cartridge and artillery cases which have been manufactured from brass mill products and are not contami-
- (7) "Brass mill casting"-A copperbase alloy casting, from which brass mill or intermediate shapes may be rolled, drawn, or extruded, without remelting.
 (8) "Copper-base alloy ingot"—A cop-
- per-base alloy used in remelting, alloying, or deoxidizing operations.
- (9) "Copper or copper-base alloy shot and waffle"-Shot or waffle produced from copper or copper-base alloy and to be used in remelting, alloying, deoxidizing, or chemical operations.
- "Intermediate shape"—Any product which has been rolled, drawn, or extruded, from refined copper or brass mill castings, and which will be rerolled. redrawn, insulated, or further processed into finished brass mill or copper wire mill products by other producers of copper or copper-base alloy controlled materials
- (11) "Copper precipitates (or cement copper)"-Copper metal precipitated from mine water by contact with iron
- scrap, tin cans, or iron in other forms.
 (j) "Receive" or "accept delivery" means the acquisition of title to copper raw materials or the charging of such materials to a person's account (in ac-

cordance with that person's standard accounting practice) whichever first oc-curs; or, in the instance of transfer of materials between departments, plants, or mills of one company the actual physical acquisition of copper raw materials by such department, plant, or mill, or the charging of such materials to its account (according to the company's standard accounting practice), whichever first occurs.

(k) "NPA" means the National Production Authority.

SEC. 3. Acceptance of delivery of copper raw materials. (a) No person, other than a railroad which receives copper raw materials by virtue of conversion from railroad engine bearings and car journal bearings in accordance with the last sentence of section 8 (b) of this order, and other than the users specified in paragraph (e) of this section and section 5 of this order, may accept delivery of any copper raw materials even if such materials were processed for him pursuant to a toll, conversion, or other similar agreement in accordance with section 8 of this order unless the receipt of such copper raw materials has been specifically authorized in writing by NPA. Provided, however, That insofar as any person performs the functions included in the definitions listed in items (1) (2) (3), (4), (5) (7), (8) or (9) under column (A) of the table which appears at the end of this section, he may accept delivery, without limitations, of the types of copper raw materials listed under the numbered item in column (B) of that table corresponding to the definition applicable to him.

(b) Any person listed in items (1) through (9) of column (A) in the table at the end of this section who desires to apply for written authorization to accept delivery of any type of copper raw materials other than those which he is authorized to receive as indicated in the corresponding item listed in column (B) shall, except as provided in section 5 of this order, complete and file Form NPAF-83 in accordance with the instructions under the corresponding item listed in column (C) in the table, Authorization to receive copper raw materials will not be granted to any of the persons listed in items (10) through (12) of the table which appears at the end of

this-section.

(c) An authorization to accept delivery of copper raw materials may specify quantities of refined copper which may be accepted, and may also specify the period during which the person to whom such an authorization has been issued may receive refined copper. Without the specific written approval of NPA, no person who has been authorized to accept delivery of copper raw materials may accept delivery of a greater quantity of refined copper than he has been authorized to receive. An authorization to receive refined copper is valid only during the period of time described in that authorization unless NPA has specifically authorized in writing the receipt of copper raw materials pursuant to an authorization which has expired.

(d) Any person who receives written authorization from NPA to accept delivery of copper raw materials shall furnish to his supplier a signed certification in substantially the following form:

The undersigned certifies, subject to statutory penalties, that acceptance of delivery of the copper raw materials herein ordered is permitted pursuant to NPA Authorization No. _.

This certification constitutes a representation by the purchaser to the seller, and to NPA, that delivery of the copper raw materials may be accepted by the purchaser pursuant to the indicated written authorization.

(e) Notwithstanding the provisions of paragraph (a) of this section, a person may, during each calendar quarter, receive copper raw materials without specific authorization of NPA, provided:

(1) That his total receipts of all copper raw materials from all sources during that calendar quarter are either not m excess of 300 pounds copper content, or if in excess of 300 pounds, then not in excess of his average quarterly receipts of copper raw materials during the period July 1, 1951, to June 30, 1952, or 1,500 pounds copper content, whichever is less.

(2) That he furnishes to the person who supplies the material a signed certification in substantially the following form:

The undersigned hereby certifies, subject to statutory penalties, that receipt of the copper raw materials herein ordered in the calendar quarter requested will not bring his total receipts during that quarter above the quantity of such material which he may receive pursuant to section 3 (e) of NPA Order M-16.

This certification shall constitute a representation by the purchaser to the seller, and to NPA, that delivery of such copper raw materials may be accepted by the purchaser pursuant to this paragraph.

(f) Except with the written permission of NPA, (1) no refiner, scrap dealer, jobber dealer, ingot maker or other person dealing in copper raw materials, may deliver any copper raw materials to a refiner, scrap dealer, jobber dealer, brass mill, foundry, ingot maker or miscellaneous producer except the type of copper raw materials that such persons are permitted to receive without authorization pursuant to paragraph (a) of this section; and (2) no person shall deliver copper raw materials to any person other than a refiner, scrap dealer, jobber dealer, brass mill, foundry, ingot maker or miscellaneous producer without first having received from such person the certification set forth in paragraph (d) or paragraph (e) of this section.

(g) The provisions of this section apply not only to acceptance of delivery by a person from other persons, including affiliates and subsidiaries, but also to acceptance of delivery by a branch, division, or section of a single enterprise which produces copper raw materials or copper controlled materials from a branch, division, or section of the same or any other enterprise under common ownership or control which does not produce copper controlled materials.

FEDERAL REGIST	ER	1631
(Δ)	(B)	(0)
(1) Refiner—Any person who produces refined copper. This includes any person who converts copper-clad c copper-base, or copper-base alloy-clad steel scrap into refined copper.	(i) Blister copper, copper concen- trates, other unallayed cop- per exrap, and other copper- ice-allay exapt for use in the production of officed copper, and refined copper for recall- without change in form.	(1) For materials other than those listed in column (B), item (I), apply on Form NPAF-83 before the tenth day of month preceding the month for which authorization is sought.
(2) Semp dealer—Any person regu- larly engaged in the business of buying and selling scrap, but who does not melt such scrap.	(2) Other unalloyed copper comp; other copper-barealloy comp; bracs mill comp; contami- nated fired and demilifarized cartridge and artiflary cases.	(2) Need not ille.
(3) Jobber dealer—Any person who receives refined copper, opper-base alloy intot, or copper or copper-base alloy shot or waffe, and sells or helds the same for sale without change in form.	(3) Copper-lice alloy diges, copper or exper-lace alloy diet or wallie.	(3) For materials other than those listed in column (B), item (3), apply on Form NPAF-53 be- fore the tenth day of the month preceding the month for which authorization is sought.
(4) Exporter—Any person who exports copper raw materials.	(4) Blister copper, copper-hand al- lay ingot, brans mill comp, other copper-hand alloy comp, and other unalloyed copper temp.	(4) For materials other than those listed in item (4) of column (B), apply on Form NFAF-83, furnishing export Henramount of the month preceding the menth for which authorization is sought.
(5) Brass mill—Any person who pro- duces brass mill products, brass mill castings, or intermediate shapes.	(5) Brace mill scrap, other unal- loyed copper camp, copper- tace alloy ingot, copper and copper-tace alloy shot and walls, brace mill cartings.	(5) For materials other than those listed in column (B), item (3), apply on Form NPAF-53 be- fore the tenth day of the month preceding the month for which authorization is songht.
(6) Copper wire mill—Any person who produces copper wire mill products or intermediate shapes.	(6) None.	(c) Apply on Form NPAF-63 before the tenth day of the month preceding the month for which authorization is sought.
(7) Brass and brenze foundry—Any person who preduces foundry copper or copper-base alloy products.	(7) Other unalloyed copper scrap, copper-base alloy inest, copper-per er copper-base alloy shot er waille, other copper-base alloy scrap.	(7) Foundries requiring copper raw materials other than these listed in column (B), item 7, apply on Form NPAF-S3 for an authorization by the tenth day of the month proceeding the calendar month or calendar quarter for which authorization is sought. (Except where a person clock to obtain refined copper pursuant to the provicious of section 6 (a), by which he may acquire limited quantities up to 1500 pounds of refined copper per month without authorization.)
(8) Ingot maker—Any person who produces copper-base alloy ingot for delivery as such.	(5) Other unalloyed copper scoup, other capper becausing scoup, copper for copper-base alloy that or valids.	(5) For materials other than those listed in column (B), item 8, apply on Form NPAF-35 for an allocation by the tenth day of the month preceding the calendar month for which authorization is sought.
(9) Miscellaneous producer—Any person, not falling in one of the classes described above, who requires copper raw materials in his regular production operation. Examples: Chemical plants, iron foundries, aluminum foundries, electrotypers, producers of copper and copper-base alloy powder.	(6) Blister copper, other unalloyed copper terrap, copper-base alloy first, copper or copper-base alloy that or walle, other copper-base alloy conductive copper-base alloy conductive precipitates and scale generated by wire mills in the production of copper wire.	(v) For materials other than those listed in column (B), item 0, apply on Form NPAF-83 for an allocation by the tenth day of the month preceding the calendar month or calendar quarter for which authorization is sought.
(10) Scrap generator—Any person, other than a scrap dealer, who in his normal operations generates or accumulates scrap or copper-clad or copper-lass alloy-clad steel scrap, but who is not in the business of producing copper raw materials, copper wire mill preducts, brass mill products, powder mill products, or foundry copper or copper-base alloy products.	(19) None.	(10) See section 3 (b).
(11) Agent—Any person who is engaged by a bayer or seller of copper may materials to leante supplies or customers, and who works for his principal for a salary, commission, or fee.	(11) Nene.	(11) See section 3 (b).
(12) Broker—Any person not the agent of any one party who arranges a sale of copper nw materials and assists in negotiating contracts of sale between buyers and sellers of such material for a commission or	(12) None.	(12) See section 3 (b).

SEC. 4. Advance authorizations. (a) Commencing with the month of March 1953, any person, except an exporter, who has received a written authorization which permits the acceptance of delivery of refined copper in a given month, pur-

(13) None.

(13) All other persons.

suant to section 3 of this order, may order for delivery to him during each of the 2 immediately succeeding months a quantity of refined copper not to exceed 75 percent of the quantity contained in such written authorization: Provided,

however That in no event may advance orders for delivery in any one month exceed 75 percent of the total quantity allocated for the current month or the month preceding the current month (whichever is greater)

(b) Any material received in any month pursuant to paragraph (a) of this section shall be applied against the quantity authorized to be received under the written authorization issued for that month in accordance with section 3 of this order.

(c) In arriving at the quantity of refined copper for which a person may place an advance order or the quantity which he may receive pursuant to such order in accordance with this section, the percentages referred to in paragraph (a) of this section shall be computed only as percentages of the quantity of refined copper for which initial written authorization was received pursuant to section 3 of this order. Supplemental authorizations shall not be considered in computing the quantities which may be ordered in advance of the period for which written authorization was received.

(d) Orders placed pursuant to the provisions of paragraph (a) of this section shall be certified as provided in paragraph (d) of section 3 of this order, except that where such certification provides that the authorization number be given, there shall be inserted the authorization number which is the basis for the advance order, together with the words "advance authorization."

SEC. 5. Self-authorization for certain foundries. (a) Commencing with the month of April 1953, any person who requires, for the production of foundry products, 1,500 pounds or less of refined copper per month to fill authorized controlled material orders and unrated orders which he has accepted from his customers, is authorized to accept delivery of a quantity of refined copper necessary to fill such orders without applying on Form NPAF-83.

(b) Any person who produces foundry products may apply for a monthly or quarterly allocation of refined copper on Form NPAF-83 pursuant to the provisions of section 3 of this order, and may elect to receive refined copper pursuant to either his written authorization or pursuant to the provisions of paragraph (a) of this section, but not pursuant to both authorizations.

Sec. 6. Restrictions on disposal of scrap. (a) No person other than establishments of the United States Army, Navy, or Air Force, such as arsenals, navy yard, gun factories, and depots, or a person who is in the business of producing copper raw materials or copper controlled materials, or a person who qualifies as a "Miscellaneous producer" as listed in Column A under section 3 of this order, shall melt or process any scrap or copper-base alloy-clad steel scrap generated in his plant through fabrication, or accumulated in his operations through obsolescence, except as specifically authorized in writing by

NPA nor shall he dispose of such materials in any way other than by delivery to a person authorized by this order to accept delivery.

(b) No person shall dispose of any material, the delivery of which he accepted as scrap, other than as scrap, except with the specific authorization of NPA. Provided, however That scrap dealers and brokers may sell in each month as usable material a quantity of material that was acquired as scrap and does not in the aggregate exceed 1,000 pounds (copper content)

(c) Nothing contained in this order shall prohibit any public utility from using "as is," in its own operation, copper wire or cable which has become scrap

by obsolescence.

(d) Each person who in the process of manufacturing any product or material generates 5,000 pounds or more copper-base alloy scrap per month shall segregate from all such scrap any copper-base alloy scrap which contains 4 percent or more of nickel by weight. Copper-base alloy scrap which has been thus segregated shall be transferred or sold only in segregated form.

(e) Any scrap dealer who receives copper-base alloy scrap which contains 4 percent or more of nickel by weight and which has been segregated shall maintain such scrap as segregated scrap, and shall sell or transfer that scrap only in

segregated form.

SEC. 7. Restrictions on inventory accumulations. (a) Unless specifically authorized by NPA, no person who generates scrap in his operations through fabrication, manufacture, or obsolescence shall keep on hand more than 30 days' accumulation of scrap or copperclad or copper-base alloy-clad steel scrap unless such accumulation aggregates less than 2,000 pounds.

(b) No scrap dealer may accept delivery of any kind, grade, or type of scrap if his total inventory of scrap (including inventory not physically located in the dealer's yard or plant) is, or by such recept would become, in excess of the weight of his total deliveries of scrap during the preceding 60-day period.

(c) The provisions of paragraph (a) of this section shall not apply to the establishments of the United States Army Navy, or Air Force, such as arsenals, navy yards, gun factories, and depots: Provided, however That such establishments shall report to NPA by August 10, 1951, with respect to July, and by the tenth day of each month thereafter with respect to the preceding month, the quantity and type of scrap at each such location.

SEC. 8. Restrictions on toll agreements.
(a) Commencing on December 18, 1950, and unless the person delivering or owning the scrap, or the person for whose benefit the conversion, remelting, or other processing of the scrap will be effected, has received the approval of NPA, no person shall deliver scrap, and no person shall accept such scrap, for converting, remelting, or other processing into electrolytic or fire-refined copper under any existing or future toll

agreement, conversion agreement, or other arrangement by which title to the scrap remains vested in the person delivering or owning the scrap, or pursuant to which unalloyed copper in any quantities, equivalent or otherwise, is to be returned to the person delivering or owning the scrap. The provisions of this paragraph will apply with equal effect to any agency relationship which would result in a toll arrangement as described in this paragraph.

(b) Commencing on July 15, 1951, and unless the person delivering or owning the refined copper or scrap, or the person for whose benefit the conversion, remelting, or other processing of the refined copper or scrap will be effected, has received the written approval of NPA, no person shall deliver refined copper or scrap, and no person shall accept same, for converting, remelting, or other processing into copper wire mill products. brass mill products, foundry products, copper-base alloy ingot, or other miscellaneous products under any existing or future toll agreement, conversion agreement, or other arrangement by which title to the refined copper or scrap remains vested in the person delivering or owning the refined copper or scrap, or pursuant to which copper wire mill products, brass mill products, foundry products, copper-base alloy ingot, or other miscellaneous products in any quantities, equivalent or otherwise, is to be returned to the person delivering or owning the refined copper or scrap. The provisions of this paragraph will apply with equal effect to any agency relationship which would result in a toll arrangement heremabove described. Nothing contained in this paragraph shall prohibit railroads from converting or having converted for them, railroad engine castings and car journal bearings for their own use.

(c) Persons requesting such approval shall file with NPA a letter setting forth the names and addresses of the parties to any existing or proposed toll or conversion agreement; the kind, grade, and form of the refined copper or scrap involved; the tonnage of the refined copper or scrap and the estimated tonnage of the electrolytic or fire-refined copper, copper wire mill products, brass mill products, foundry products, copper-base alloy ingot, or other miscellaneous products resulting; the estimated rate and dates of delivery of such copper or copper products; the length of time such agreement or other similar agreement between the same parties has been in force: the duration of the agreement: the purpose for which such copper or copper products are to be used; and such other information as the applicant may wish to submit.

SEC. 9. Authorizations and directives. NPA may issue authorizations or directives from time to time with respect to the delivery, disposal, and conversion of copper raw materials. Such authorizations and directive shall be complied with by the recipients thereof.

SEC. 10. Applications for adjustment or exception. Any person affected by any provision of this order may file a request for adjustment or exception upon

the ground that any provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests for adjustment claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing, by letter in triplicate, and shall set forth all pertinent facts, the nature of the relief sought, and the justification therefor.

Sec. 11. Records and reports. (a) Each person participating in any transaction covered by this order shall make and preserve, for at least 3 years thereafter, accurate and complete records of receipts, deliveries, inventories, production, and use, in sufficient detail to permit the determination, after audit, whether each transaction complies with the provisions of this order. This order does not specify any particular accounting method and does not require alteration of the system of records customarily used, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals by those persons who, at the time such microfilm or other photographic records are made, maintain such copies of records in the regular and usual course of business.

(b) All records required by this order shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of NPA.

(c) Any person who uses or processes copper or copper-base alloy in his operations and who falls within the general classification set forth in Column A of the table at the end of this paragraph shall complete and return the Bureau of Mines form identified in the corresponding section of Column B of the table to the address specified on the form, in the number of copies specified on the form, on or before the twentieth day of July 1951 with respect to such use or processing during June 1951, and on or before the fifteenth day of each succeeding month with respect to such use or processing during the preceding month except that the form indicated under item 5 in the table at the end of this paragraph shall be filed on or before February 28, 1952, with respect to operations during the year 1951.

(A)
(1) Brass ingot makers and mis-(B) cellaneous remelters____ __ 6-1115-M. (2) Brass mills and copper wire mills____ 6-1115-MS. (3) Primary smelters_. 6-1045-M. 6-1046-M. Primary refiners... (5) Brass mills,1 copper wire mills,1 miscellaneous users, _____ 6-1115-AS. and foundries____ ¹Except those required to file Form

6-1115-MS.

(d) Commencing December 17, 1951, any person other than a refiner, custom smelter, scrap dealer, or scrap generator, who deals in refined copper or who owns, melts, or otherwise uses in his operations, electrolytic or fire-refined copper, unalloyed copper in any form (including scrap) copper-base raw materials in any form (including ingot and scrap) or intermediate brass or copper wire mill shapes, shall complete and return Form NPAF-83 to the National Production Authority, Washington 25, D. C., Ref: M-16, in the number of copies specified on that form. Such reports shall be filed monthly in accordance with the reportmg procedure specified on the form, except in those cases where the form indicates a quarterly report should be filed. The provisions of this paragraph do not apply to any person who owns less than 500 pounds of the forms of copper enumerated in this paragraph, or who melts or otherwise uses less than 500 pounds of such forms of copper per month.

(e) Commencing December 17, 1951, any person who produces copper or copper-base alloy controlled materials (brass mill products, copper wire mill products, foundry products, or powder mill products as defined in section 2 of this order) shall complete and return Form NPAF-84 to the National Production Authority, Washington 25, D. C., Ref: M-16, in the number of copies specified on that form. Such report shall be filed monthly in accordance with the reporting procedure specified on the form, except in those cases where the form indicates that a quarterly report should be filed.

(f) Any scrap dealer whose aggregate end-of-month inventory or aggregate monthly purchases or aggregate monthly sales of scrap averaged 60,000 pounds or more (metal weight) during the first 6 months of 1952, shall complete and return Form NPAF-125 not later than April 10, 1953, with regard to his operations during March 1953, and not later than the tenth day of each month thereafter with regard to his operations during each preceding month. All such forms shall be addressed to the Base Metals Branch, Bureau of Mines, Washington 25, D. C.

(g) Persons subject to this order shall make such other records and submit such other reports to NPA as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C., 139-139F)

Sec. 12. Communications. All communications concerning this order shall be addressed to the National Production Authority, Washington 25, D. C., Ref: M-16.

SEC. 13. Violations. Any person who willfully violates any provision of this order, or any other order or regulation of NPA, or who willfully furnishes false information or conceals any material fact in the course of operation under this order, is guilty of a crime and upon conviction may be punished by fine or imprisonment or both. In addition, ad-

ministrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials, or using facilities under priority or allocation control and to deprive him of further priorities assistance.

Note: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act.

This order as amended shall take effect March 20, 1953.

NATIONAL PRODUCTION
AUTHORITY,
By George W. Auxier,
Executive Secretary.

[F. R. Doc. 53-2548; Filed, Mar. 20, 1953; 10:34 a. m.]

[NPA Order M-16—Direction 1—Revocation]
M-16—DISTRIBUTION OF COPPER RAW
MATERIALS

DIR. 1—ADVANCE AUTHORIZATIONS REVOCATION

Direction 1 (17 F. R. 8777) to NPA Order M-16 is hereby revoked.

This revocation does not relieve any person of any obligation or liability incurred under Direction 1 to NPA Order M-16 as originally issued or as thereafter amended, nor deprive any person of any rights received or accrued under said direction prior to the effective date of this revocation.

(64 Stat. 816, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2154)

This revocation is effective March 20, 1953.

NATIONAL PRODUCTION
AUTHORITY,
By George W. Auxier,
Executive Secretary.

[F. R. Doc. 53-2549; Filed, Mar. 20, 11953; 10:35 a. m.]

[NPA Order M-93, Revocation]
M-98—Used Cans for Copper Production
REVOCATION

NPA Order M-93 (17 F. R. 1473) is hereby revoked.

This revocation does not relieve any person of any obligation or liability incurred under NPA Order M-98, as originally issued or as thereafter amended from time to time, nor deprive any person of any rights received or accrued under said order prior to the effective date of this revocation.

(64 Stat. 816, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2154)

This revocation is effective March 20, 1953.

NATIONAL PRODUCTION
AUTHORITY,
By George W. Auxier,
Executive Secretary.

[F. R. Doc. 53-2551; Filed, Mar. 20, 1953; 10:35 a. m.]

Effective date of regulation

Maximum rent date

County or counties in defense-rental area under regulation

Class

State and name of defense-rental area

6, 1952

40<u>N</u>

Aug 1 1952

MONMOUTH COUNTY, except the boroughs of Allentown Avon by-the-Sea, Fair Haven Farming dale Manasquan Redbank Rosesvelt Scabright and Shrewsbury, and the townships of Howell Millstone and Upper Freehold

O

(190) Northeastern Now Jersey

New Jersey-Con

Nov 1 1912

Mar 1 1942

FRANKLIN COUNTY, except the city of Upper Arlington the township of Midlin, the villages of Riverbin, Westerville, and Worthington and that part of the village of Canal Winchester located in hyrranklin COUNTY

m

(229) Columbus Ohto

Chapter XXI—Office of Rent Stabilization, Economic Stabilization Agency

[Rent Regulation 1 Amdt 127 to Schedule A] [Rent Regulation 2 Amdt 125 to Schedule A]

RR 1-Housing

RR 2-ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

SCHEDULE A-DEFENSE-RENTAL AREAS

CERTAIN STATES

Effective Match 21 1953 Rent Regulation 1 and Rent Regulation 2 are amended so that the items indicated below of Schedules A read as set forth below (Sec 204 61 Stat 197 as amended; 50 U S C App Sup 1894)

So that the ite (Sec 204 61 Stat	t 197	so that the items indicated below of Schedules A read as set forth below (Sec 204 61 Stat 197 as amended; 50 T S C App Sup 1894)	forth belo	∆	D IN FIGURIA COUNTY Aug 1 1952 Jan. 7 1953 In LIGHT COUNTY the city of Newark and all Mar 1 1912 May 1 1943 unincorporated localities in the townshins of Madison
Issued this 1.	8th d	Issued this 18th day of March 1953			and Newark. A In FRANKLIN GOUNTY, the villages of Rivaries Aug 1952 Jan 7 1953
		Acting Director	William G Barr of Rent Stabilization	Barr ilization	and Worthington, and that part of the village of Canal Winchester located in FRANKLIN COUNTY; in FAIRFILLD OCUNTY, the town shirs of Amanda, Bloom, Clear Creek, and Vollet.
State and name of defense rental area	Class	County or countles in defense rental area under regulation	Maximum rent date	Effective date of regulation	in PICKAWAY COUNTY the townships of Circleville Harrison Madison Walnut and Wash ington
Georgia (67a) Illinois		[Revoked and decontrolled]			These amendments decontrol the following based on resolutions submitted under section 204 (j) (3) of the act: The City of Zion in Lake County Illinols a portion of the Lake County Defense Rental
(880) Lake County ;	р	LAKE COUNTY, except the cities of Highland Park Lake Forest, and Zion, the villages of Deerfield, Grays lake, and Take Bluff and that partian of the village of	Mar 1 1942	July 1 1042	The Borough of Shrewsbury in Monmouth County New Jersey a portion of the Northeastern New Jersey Defense Rental Area; and
	ρ.		Aug 1 1952	Aug 1 1952 Jan. 6, 1953	The Township of Millin in Franklin County Onlo a portion of the Columbus Defense- Rental Area
New Jersen	₫	the Villages of Destroid and	g g	on 	These amendments also decontrol the following on the initiative of the Director of Rent Stabilization under section 204 (c) of the act:
					The Americas Georgia Defense Rental Area
(190) Northeastern New Jersey	<u>м</u>	In ESSEX COUNTY the cities of East Orange Nowark, and Orange, the townships of Caldwell, Cedar Grove, Livineston, and Millum, the towns of	Mar 1 1942	July 1 1942	[F R Doc 53-2497; Filed Mar 20 1953; 8:50 a m]
		Belleville, Bloomfeld, Irvington, Monteler, Nutley West Orange, the boroughs of Caldwell and Verona			
		and the vinige of Soura Orngo, and an unmorpho mated localities; in MIDDLESEX COUNTY, the cities of New Brunswick, Perth Amboy and South			[Rent Regulation 3 Amdt 121 to Schedule A]
		Amboy, the townships of Cranbury, East Brunswick Madison Monroe, North Brunswick, Piscataway,			[Rent Regulation 4 Amdt 64 to Schedule A]
		Raftan, South Brunswick, and Woodbridge, the boroughs of Carteret Duneslen, Highland Park, Jones Honseller, South			RR 3—Hotels
		Painteen Moutener, Middlessa, Sayleving, South Plainfield and South River, and all unincorporated			RR 4—Motor Courts
		boroughs of Avon by the See Fair Haven, Farming			SCHEDULE A-DEFENSE-RENTAL AREAS
		bury, and all incorporated localities in the borough of			CERTAIN STATES
		Antenna and Upper Freehold; in SOMERSET COUNTY, the townships of Bridgester and Franklin, and the beauther the townships of Bridgester and Franklin, and the beauth of Branklin, and the			Effective March 21, 1953 Rent Regulation 3 and Rent Regulation 4 are amended so that the items indicted below of Schedules A read as set forth below
		version of the state of the sta			(Sec 204 61 Stat 197 as amended; 50 U S C App Sup 1894)
		beth Linden and Rabway, the townships of Cran			Issued this 18th day of March 1953
		boroughs of Garwood, Roselle and Roselle Park and all unincorporated localities			WILLIAM G BARR Acting Director of Rent Stabilization

1. Item 190 of Schedule A of Rent Regulation 4 is amended to read as follows:

Name of defense- rental area	State	County or counties in defense-rental area under regulation	Maximum rent data	Effective data of regulation
(190) Northeastern New Jersey.	New Jersey.	MONMOUTH COUNTY, except the beroughs of Allentown, Avon-by-the-Sea, Fair Haven, Farmingdale, Monasquan, Redbank, Roosevelt, Seabright, and Shrewsbury, and the townships of Howell, Millstone, and Upper Freehold.	Aug. 1, 1932	Nov. 6,1933

2. Items 88e and 229 of Schedules A of Rent Regulation 3 and Rent Regulation 4, are amended to read as follows:

Name of defense- rental area	State	County or counties in defense-rental area under regulation	Maximum rent date	Effectiv of regu	
(88e) Lake County	Illinois	LAKE COUNTY, except the cities of Highland Park, Lake Forest, and Zion, the village of Lake Bluff, and that portion of the village of Bar- rington located therein.	Aug. 1,1932	Jan.	6, 1053
(229) Columbus	Ohio	FRANKLIN COUNTY, except the city of Upper Arlington, the township of Mifflin and the village of Westerville; in FAIRFIELD COUNTY, the townships of Amanda, Bloom, Clear Creek, and Violet; in PICKAWAY COUNTY, the townships of Circleville, Harrison, Madison, Walnut, and Washington.	do	Jan.	7, 1933

These amendments decontrol the following based on resolutions submitted under section 204 (j) (3) of the act:

The Borough of Shrewsbury in Monmouth County, New Jersey, a portion of the Northeastern New Jersey Defense-Rental Area (from Rent Regulation 4 only);

The City of Zion in Lake County, Illinols, a portion of the Lake County Defense-Rental Area (from Rent Regulation 3 and Rent Regulation 4); and

The Township of Mifflin in Franklin County, Ohio, a portion of the Columbus Defense-Rental Area (from Rent Regulation 3 and Rent Regulation 4).

[F. R. Doc. 53-2498; Filed, Mar. 20, 1953; 8:50 a. m.]

[Rent Regulation 3, Amdt. 19 to Schedule B]

RR 3-HOTELS

SCHEDULE B—SPECIFIC PROVISIONS RELAT-ING TO INDIVIDUAL DEFENSE RENTAL AREAS OR PORTIONS THEREOF

LOUISIANA

Effective March 21, 1953, Rent Regulation 3 is amended as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 18th day of March 1953.

WILLIAM G. BARR, Acting Director of Rent Stabilization.

A new item 24 is added to Schedule B of Rent Regulation 3—Hotels, reading as follows:

24. Provisions relating to the Lake Charles, Louisiana, Defense-Rental Area (Item 131 of Schedule A)

In accordance with the provisions of section 204 (c) of the Housing and Rent Act of 1947, as amended, the application of this regulation is terminated with respect to rooms in any hotel which on March 2, 1953, (a) had no more than 20 percent of its available rooms rented on the basis of a weekly or longer term of occupancy, and (b) provided to persons occupying its rooms customary hotel services including elevator service, bellboy service, telephone and switchboard services, maid service, use and upkeep of furniture and the furnishing and laundering of linens.

All provisions of this regulation insofar as they are applicable to the territory to

which this item of Schedule B relates are hereby amended to the extent necessary to carry into effect the provisions of this item of Schedule B.

[F. R. Doc. 53-2499; Filed, Mar. 20, 1953; 8:50 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 207-NAVIGATION REGULATIONS

HOOD CANAL, WASHINGTON

Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U.S. C. 1) paragraph (e) (1) of § 207.750 is hereby amended by enlargement of the restricted area surrounding the Naval pier at the Naval Ammunition Depot, Bangor, Washington, effective on and after publication of this amendment in the Federal Register in order to insure at the earliest possible date the safety of vessels navigating the waters of Hood Canal, as follows:

§ 207.750 Puget Sound Area, Wash.

(e) Hood Canal, Bangor; naval restricted area—(1) The area. All waters within 500 yards of the Navy pier and mooring buoys Nos. 1, 2, 3, and 4, lying southerly thereof, and all remaining waters along the easterly shore of Hood Canal within 200 feet of the high water line between latitude 47°46′20″ and latitude 47°43′28″ The buoys are located in the following positions: Buoy No. 1, latitude 47°44′37.5″ longitude 122°43′49″ buoy No. 2, latitude 47°44′32″, longitude 122°43′55″; buoy No. 3, latitude 47°44′293″ longitude 122°44′03″ buoy No. 4, latitude 47°44′25.5″, longitude 122°44′10″

[Regs., Mar. 4, 1953, 800.2121 (Hood Canal, Wash.)-ENGWO] (40 Stat. 266; 33 U. S. C. 1)

[SEAL] WIL E. BERGIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 53-2496; Filed, Mar. 20, 1953; 8:49 a. m.]

PROPOSED RULE MAKING

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Parts 7, 8]

[Docket No. 10427]

STATIONS ON LAND AND ON SHIPEOARD IN THE MARITILE SERVICES

NOTICE OF PROPOSED RULE MAKING

In the matter of amendment of Parts 7 and 8 of the Commission's rules regarding the use of the frequency 156.5 Mc on the Great Lakes. Docket No. 10427.

- 1. Notice is hereby given of proposed rule making in the above entitled matter. The proposed amendments are as set forth below.
- 2. The Commission has received a petition filed by the Lake Carriers' Association which requests that in the Great Lakes area, in addition to currently designated uses, the frequency 156.5 Mc be designated as a standardized radiotelephone channel for business and operational short-distance communication between limited coast stations and vessels which navigate primarily outside or between harbors or ports. It appears that use of this VHF frequency as requested would serve the public interest by permitting more expeditious communication with vessels entering or leaving a port when the time element is important. Accordingly, it is proposed to amend the Commission's rules to permit use of the frequency 156.5 Mc for the desired purpose.
- 3. These proposed amendments are issued under authority contained in sections 303 (b), (c) (f) and (r) of the Communications Act of 1934, as amended.
- 4. Any interested person who is of the opinion that the proposed amendments should not be adopted, or not adopted in the form set forth, may file with the Commission on or before April 15, 1953, a written statement or brief setting forth his comments. At the same time, any person who favors the rules as set forth may file a written statement in support thereof. Comments or briefs in reply to the original comments or briefs may be filed within five days from the last day for filing said original comments or briefs. The Commission will consider all comments, briefs and statements presented before taking final action in the matter.
- 5. In accordance with the provisions of § 1.784 of the Commission's rules, an original and fourteen copies of statements, briefs or comments filed shall be furnished to the Commission.

Adopted: March 11, 1953.

Released: March 11, 1953.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIF

T. J. Slowie, Secretary.

1. Amend § 7.356 (b) (2) (ii) to read as follows:

(ii) For communication with commercial transport vessels and government vessels which are navigated primarily between separate harbors or ports or on voyages which primarily are beyond the limits of a harbor or port and with commercial transport vessels used in the fishing industry.

156.5 Mc

- 2. Amend § 8.360 (d) (2) to read as follows:
- (2) For assignment to ship stations on board commercial transport vessels and vessels of municipal or state governments which are navigated primarily between separate harbors or ports or navigated primarily outside harbor or port areas and commercial transport vessels used in the fishing industry.

156.5 Mc

[F. R. Doc. 53-2502; Filed, Mar. 20, 1953; 8:51 a. m.]

I 47 CFR Part 64]

[Docket No. 10426]

CHARGES FOR U. S. GOVERNMENT TELEGRAPH COMMUNICATIONS

NOTICE OF PROPOSED RULE MAKING

In the matter of charges for United States Government Telegraph Com-

munications; amendment of Part 64 of the Commission's rules and regulations (miscellaneous rules relating to common carriers) Docket No. 10426.

- 1. Notice is hereby given of proposed rule-making in the above-entitled matter.
- 2. It is proposed to amend § 64.310 Term, of Subpart C (United States Government Foreign and Overseas Telegraph Communications) of Part 64 of the Commission's rules and regulations, to read as follows:

§ 64.310 Term. The provisions of Subpart C shall continue in effect through June 30, 1954, unless changed by order of the Commission.

Reason for change: It is necessary under the applicable cable landing licenses that the Commission act annually and the section in its present form provides that the provisions of Subpart C shall continue in effect through June 30, 1953.

3. No changes are now being proposed in the other provisions of Subpart C.

4. The proposed amendment is issued under authority of sections 4 (i) and 601 (b) of the Communications Act of 1934, as amended, and pursuant to the provisions of the permits or licenses granted by the President of the United States, giving the Postmaster General authority to fix rates and charges for United States Government telegraph communications transmitted by any car-

rier or carriers subject to the terms of such permits or licenses, which authority was transferred to the Commission by section 601 (b) of the Communications Act.

- 5. Any interested person who is of the opinion that the proposed amendment should not be adopted, or should not be adopted in the form set forth above, may file with the Commission on or before April 24, 1953, a written statement or brief setting forth his comments. Persons desiring to support the amendment may also file comments by the same date. Comments in reply to the original statements or brief may be filed within 10 days from the last day for filing said original comments and briefs. The Commission will consider all comments, briefs and arguments presented before taking final action with respect to the proposed amendment.
- 6. In accordance with the provisions of § 1.784 of the Commission's rules, an original and 14 copies of all statements, briefs or comments shall be furnished the Commission.

Adopted: March 11, 1953.

Released: March 13, 1953.

FEDERAL COMMUNICATIONS COMMISSION.

[SEAL] T. J. SLOWIE, Secretary.

[F. R. Doc. 53-2501; Filed, Mar. 20, 1953; 8:51 a. m.]

NOTICES

DEPARTMENT OF JUSTICE Office of Alien Property

[Vesting Order 19189]

ELIZABETH TRUCK

In re: Estate of Elizabeth Truck, also known as Elizabeth Truck, deceased. File D-28-12911.

Under the authority of the Trading With the Enemy Act, as amended (50 U.S. C. App. and Sup. 1-40) Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.) Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.) and pursuant to law, after investigation, it is hereby found:

1. That Luise Hauss, Magdaena Pink, Theodor Schneider, Georg Truck, Elisabeth Gerecke, Barbara Berneking, Karl Friedrich Russi, Salomea Sauer, Karl Russi, Johann Russi, Adolf Siehl, Karlheinz Truck, Nanne Malmendier, Karl Truck, Friedrich Truck, and Ludwig Truck, whose last known address is Germany on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany and are, and prior to January 1, 1947, were, nationals of a designated enemy country (Germany)

2. That the domiciliary personal representatives, heirs-at-law, next-of-kin, legatees and distributees, names un-

known, of Elizabeth Truck, also known as Elizabeth Truck, deceased, with the exception of Sofie Wantz and Anna Claus, who there is reasonable cause to believe are and on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany are and prior to January 1, 1947, were nationals of a designated enemy country (Germany)

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof in and to the estate of Elizabeth Truck, also known as Elizabeth Trueck, deceased, presently being administered by Albert S. Herskowitz, as administrator d. b. n., acting under the judicial supervision of the Orphans' Court of Philadelphia County, Philadelphia, Pennsylvania, is property which is and prior to January 1, 1947, was within the United States owned or controlled by payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the persons identified in subparagraphs 1 and 2 hereof, nationals of a designated enemy country (Germany).

and it is hereby determined:

4. That the national interest of the United States requires that the persons identified in subparagraphs 1 and 2 hereof, be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 16, 1953.

For the Attorney General.

[SEAL]

Paul V Myron,
Deputy Director
Office of Alien Property.

[F. R. Doc. 53-2458; Filed, Mar. 19, 1953; 8:49 a. m.]

[Vesting Order 19191]

ERNST LUDEMANN

In re: Securities owned by and debt owing to Ernst Ludemann.

Under the authority of the Trading With the Enemy Act, as amended (50

U. S. C. App. and Sup. 1-40) Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp... 3 CFR 1945 Supp.) Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.) and pursuant to law, after investigation, it is hereby found:

1. That Ernst Ludemann, whose last known address is Breese id Mb Dannenberg (Elbe) Germany, on or since December 11, 1941, and prior to January 1, 1947, was a resident of Germany and is, and prior to January 1, 1947, was a national of a designated enemy country (Germany)

2. That the property described as follows:

a. That certain debt or other obligation of Wilson & Vest, Citizens Bank Building, Sac City, Iowa, arising out of funds received as income or accretions on Brownlie and Son Building bonds owned by Ernst Ludemann, including particularly but not limited to a check in the amount of \$237.60 signed by Urban M. Forrester and payable to Ernst Ludemann, and presently in the custody of said Wilson & Vest, together with any and all accruals of the aforesaid debt or other obligation and any and all rights to demand, enforce and collect the same, and any and all rights in, to and under said check.

b. Those certain Summerdale Towers Apartments bonds No. 20, presently in the custody of Wilson & Vest, Citizens Bank Building, Sac City, Iowa, together with any and all rights thereunder and

thereto, and

c. That certain debt or other obligation of Wilson & Vest, Citizens Bank Building, Sac City, Iowa, arising out of funds received as income or accretions on the bonds described in subparagraph 2b above, together with any and all accruals to the aforesaid debt or other obligation and any and all rights to demand, enforce and collect the same.

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Ernst Ludemann, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That the national interest of the United States requires that the person referred to in subparagraph 1 hereof, be treated as a person who is and prior to January 1, 1947, was a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest.

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 16, 1953.

For the Attorney General.

[SEAL]

PAUL V. MYRON, Deputy Director, Office of Alien Property.

[F. R. Doc. 53-2460; Filed, Mar. 19, 1953; 8:50 a. m.]

[Vesting Order 15571, Amdt.] Adelbert Wilhelm Yahn

In re: Estate of Adelbert Wilhelm Yahn, a/k/a Adelbert Wilhelm Jahn. File No. 017-23367.

Vesting Order 15571, dated November 9, 1950, is hereby amended to read as follows:

Under the authority of the Trading With the Enemy Act, as amended (50 U.S. C. App. and Sup. 1-40), Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.), Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That Helmut Hopf, Elly Kiese-wetter, Curt Jahn, Emmy Luckert nee Jahn, Margarete Beyer nee Jahn, Irmgard Stieler nee Jahn, Paula Ehle nee Jahn, Else Jahn nee Jahn, Ottille Bach-mann nee Jahn, Lydia Winner nee Schmidt, Helene Schmidt, Ella Elisabeth Schmidt, Edith Elisabeth Schmidt, Anna Schmidt and Ella Schmidt whose last known address is Germany, on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany and are, and prior to January 1, 1947, were nationals of a designated enemy country (Germany),

2. That the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown of Anna Hopf, nee Jahn, deceased, of Kathinka C. L. Jahn, nee Jahn, deceased, of Kathinka Schmidt, nee Jahn, deceased, of Ernst Gustav Robert Jahn, deceased, of Paula Haerdrich, nee Schmidt, deceased, of Wilhelm Haerdrich, deceased, of Wilhelm Haerdrich, Jr., deceased, and Paul Haerdrich, deceased, of Karl Schmidt, deceased, of Eric Schmidt, deceased, of Bruno Schmidt, deceased, and of Eugen Schmidt, deceased, who there is reasonable cause to believe are and on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany, are and prior to January 1, 1947, were nationals of a designated enemy country (Germany),

3. That the property described as follows: The sum of \$6,693.19, representing the balance of \$10,039.78 deposited with the Treasurer of the Commonwealth of Pennsylvania to the credit of Gustave Yahn, Kathinka Schmidt and Bertha Scherr, pursuant to an order of the Orphans' Court of Lawrence County, Pennsylvania, entered on November 28, 1927, in the matter of the Estate of A. W. Yahn. deceased, and any and all additions thereto subject to the payment of any lawful fees and disbursements of the Treasurer of the Commonwealth of Pennsylvania,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany)

and it is hereby determined:

4. That the national interest of the United States requires that the persons identified in subparagraphs 1 and 2 hereof be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest.

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 16, 1953.

For the Attorney General.

ESEAL

PAUL V. MYRON, Deputy Director Office of Alien Property.

[F. R. Doc. 53-2461; Filed, Mar. 19, 1953; 8:50 a. m.]

[Vesting Order 19192]

ERWIN BAUMGARTNER In re: Securities owned by Erwin

Baumgartner, also known as Irwin Baumgartner. F-28-773-D-8.

Under the authority of the Trading With the Enemy Act, as amended (50 U.S. C. App. and Sup. 1-40) Public Law 181, 82d Congress, 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.) Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.) and pursuant to law, after investigation, it is hereby found:

- 1. That Erwin Baumgartner, also known as Irwin Baumgartner, whose last known address is 4 Saherrstrasse, Munich, Germany, on or since December 11, 1941, and prior to January 1, 1947, was a resident of Germany and is, and prior to January 1, 1947 was, a national of a designated enemy country (Germany),
- 2. That the property described as follows:
- a. Two (2) shares of preferred stock of United States Steel Company, 71

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Broadway, New York, New York, evidenced by certificate numbered C-973605 registered in the name of Erwin Baumgartner, togther with any and all declared and unpaid dividends thereon,

b. Two (2) shares of stock of The Peck, Stow & Wilcox Company, Southington, Connecticut, evidenced by certificate numbered 23115, registered in the name of Irwin Baumgartner, together with any and all declared and unpaid dividends thereon,

c. Three (3) shares of stock of Union Manufacturing Company, New Britain, Connecticut, evidenced by certificate numbered 10785 registered in the name of Erwin Baumgartner, together with any and all declared and unpaid dividends thereon, and

d. Nine (9) shares of stock of New Britain Machine Company, New Britain, Connecticut, evidenced by a certificate numbered C-33168 for 6 shares and a certificate numbered C-37099 for 3 shares, said certificates registered in the name of Erwin Baumgartner, together with any and all declared and unpaid dividends thereon,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Erwin Baumgartner, also known as Irwin Baumgartner, the aforesaid national of a designated enemy country (Germany), and it is hereby determined:

3. That the national interest of the United States requires that the person identified in subparagraph 1 hereof, be treated as a person who is and prior to January 1, 1947, was a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest.

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 17, 1953.

For the Attorney General.

[SEAL]

PAUL V MYRON. Deputy Director Office of Alien Property.

[F. R. Doc. 53-2514; Filed, Mar. 20, 1953; 8:54 a. m.]

[Vesting Order 19193]

CONVERSION OFFICE FOR GERMAN FOREIGN DEBTS AND CENTRAL GERMAN POWER CO. OF MAGDEBURG

In re: Bank account owned by Conversion Office for German Foreign Debts.

also known as Konversionskasse fur Deutsche Auslandsschulden and/or Central German Power Company of Magdeburg, also known as Mitteldeutsches Kraftwerk Magdeburg Aktiengesell-Magdeburg Aktiengesellschaft. F-28-1312.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1–40) Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.) Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.) and pursuant to law, after investigation, it is hereby found:

- 1. That Conversion Office for German Foreign Debts, also known as Konversionskasse für Deutsche Auslandsschulden, the last known address of which is Berlin, Germany is a public corporation which on or since December 11, 1941, and prior to January 1, 1947, was organized under the laws of and had its principal place of business in Germany and is, and prior to January 1, 1947 was, a national of a designated enemy country (Germany)

2. That Central German Power Company of Magdeburg, also known as Mitteldeutsches Kraftwerk Magdeburg Aktiengesellschaft, the last known address of which is Magdeburg, Germany, is a corporation, partnership, association or other buisness organization which on or since December 11, 1941, and prior to January 1, 1947, was organized under the laws of and had its principal place of business in Germany and is, and prior to January 1, 1947 was, a national of a designated enemy country (Germany)

3. That the property described as follows: That certain debt or other obligation of A. G. Becker & Co., Incorporated, 120 South LaSalle Street, Chicago, Illinois, in the amount of \$373.41, as of April 1, 1942, arising out of a coupon account. resulting from a deposit of cash by Conversion Office for German Foreign Debts. also known as Konversionskasse für Deutsche Auslandsschulden, for payment of unpresented coupons, maturing December 1, 1933 and June 1, 1934, of Central German Power Company of Magdeburg (Mitteldeutsches Kraftwerk Magdeburg Aktiengesellschaft) Four Year 6 Percent Gold Notes of 1930, due June 1, 1934, under an offer of the aforesaid Conversion Office for German Foreign Debts to holders of such coupons. together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same, less all lawful charges, by the said A. G. Becker & Co., Incorporated, against the said account, accrued or made and heretofore or hereafter licensed under Executive Order 8389, as amended.

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Conversion Office for German Foreign Debts. also known as Konversionskasse für Deutsch Auslandsschulden and/or Central German Power Company of Magdeburg, also known as Mitteldeutsches Kraftwerk Magdeburg Aktiengesellschaft, the aforesaid nationals of a designated enemy country (Germany).

and it is hereby determined:

4. That the national interest of the United States requires that the persons identified in subparagraph 1 and 2 hereof, be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 17, 1953.

For the Attorney General.

[SEAL]

PAUL V MYRON, Deputy Director Office of Alien Property.

[F. R. Doc. 53-2515; Filed, Mar. 20, 1953; 8:55 a. m.]

DEPARTMENT OF THE INTERIOR

Office of the Secretary

[Order No. 2717]

COMMISSIONER OF RECLAMATION

DELEGATION OF AUTHORITY WITH RESPECT TO LEASING OF LAND IN BOULDER CITY. NEVADA

Млксн 14. 1953.

SECTION 1. Delegation of authority. (a) The Commissioner of Reclamation mav

(1) Lease improved and unimproved lands in the Boulder City Federal Reservation for commercial, industrial, and residential purposes, and

(2) Consent to the assignment and

subletting of such leases.

(b) The authority granted in paragraph (a) of this section may also be exercised by the City Manager and the City Engineer, Boulder City, Nevada.

SEC. 2. Redelegation. The Commissioner may redelegate in writing to other subordinate officials of the Bureau of Reclamation, the authority granted in section 1 of this order.

SEC. 3. Revocation. The delegations of authority to the Director of Power at Boulder City and Associate Engineer A. G. Boynton made by letters of Jahuary 12, 1942 and February 19, 1942, approved by the Secretary of the Interior and Under Secretary of the Interior, respectively, are revoked.

(43 U. S. C., 1946 ed., sec. 617u; Reorg. Plan No. 3 of 1950, 15 F. R. 3174)

> DOUGLAS MCKAY. Secretary of the Interior

[F. R. Doc. 53-2478; Filed, Mar. 20, 1953; 8:45 a. m.1

DEPARTMENT OF LADOR Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1068, as amended; 29 U.S.C. and Sup. 214) and Part 522 of the regulations issued thereunder (29 CFR Part 522) special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates applicable under section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners, and learning period for certificates issued under the general learner regulations (§§ 522.1 to 522.14) are as indicated below conditions provided in certificates issued under special industry regulations are as established in these regulations.

Single Pants, Shirts and Allied Gar-ments, Women's Apparel, Sportswear and Other Odd Outerwear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry Learner Regulations (29 CFR 522.160 to 522.166, as amended December . 31, 1951, 16 F. R. 12043, and June 2, 1952; 17 F. R. 3818)

Angelica Uniform Co., Summersville, Mo., effective 3-16-53 to 9-15-53; 30 learners for expansion purposes (washable service apparel).

Better-Maid Apparel Co., 117 Main Street, Dalton, Pa., effective 3-16-53 to 3-15-54; 3

learners. (ladies' dresses).

Blain Associates, Blain, Perry Co., Pa., effective 3-13-53 to 3-12-54; 5 learners (women's woven rayon underwear, cotton gowns and pajamas).

The Chaffee Manufacturing Co., Chaffee, Mo., effective 4-3-53 to 4-2-54; 10 percent of the productive factory force (men's and boys' dress trousers).

Edmonton Manufacturing Co., Edmonton, Ky., effective 3–16–53 to 9–15–53; 40 learners for expansion purposes (work pants).

The N. M. Gerber Co., 37 South Liberty Street, Baltimore 1, Md., effective 3-16-53 to 3-15-54; 10 percent of the productive factory force; learners not to be engaged at subminimum wage rates in the production of ladies' and children's skirts (ladies' and

children's sportswear).
Goodimade Waist & Dress Co., 1010 Race Street, Philadelphia, Pa., effective 3-16-53 to 3-15-54; 5 learners (children's blouses).

Gort Girls' Frocks, Inc., 75 Stark Street NW., Wilkes-Barre, Pa., effective 3-17-53 to 3-16-54; 10 percent of the productive factory force (children's cotton dresses).

Gross Galesburg Co., Lewistown, Ill., effective 3-16-53 to 9-15-53; 40 learners for expansion purposes (men's and boys' waistband overalls).

Harrisburg Wearing Apparel Co., Inc., 1005 North Sixth Street, Harrisburg, Pa., effective 3-16-53 to 3-15-54; 5 learners (ladies' and children's wash dresses made of cotton percale).

Hartsville Manufacturing Co., Hartsville, S. C., effective 3-13-53 to 3-12-54; 10 percent of the productive factory force (ladies' cotton wash dresses).

Harvic Manufacturing Co., Inc., Sweet Valley, Pa., effective 3-13-53 to 3-12-54;

5 learners (dresses). Karen Sportswear, Route 2, Shickshinny, Pa., effective 4–1–53 to 3–31–54; 5 learners

(women's dresses).

Lady Ester Lingerie Corp., Tenth and Walnut Streets Berwick, Pa., effective 3-16-53 to 9-15-53; 10 learners for expansion purposes (ladies' rayon slips).

Lady Ester Lingerie Corp., Tenth and Walnut Streets, Berwick, Pa., effective 3-16-53 to 3-15-54; 10 percent of the productive factory force (ladies' rayon slips). Leader Dress Co., 726 Main Street, Duryea,

Pa., effective 3-13-53 to 3-12-54; 5 learners

(ladies' dresses).

The H. D. Lee Co., Inc., Box 455, Boaz, Ala., effective 3-16-53 to 9-15-53; 10 learners for expansion purposes (men's work clothing,

bib overalls, waistband overalls).
Linn Manufacturing Co., Linn, Mo., effective 3-12-53 to 3-11-54; 10 percent of the productive factory force (men's semidress pants).

M. K. Dress Co., 105 Corner Street, Dunmore, Pa., effective 3-13-53 to 3-12-54; 5 learners (children's dresses).

Manchester Pants Co., Manchester, Md., effective 3-13-53 to 3-12-54; 10 percent of the productive factory force (men's trou-

Marine Garment Co., Sandoval, Ill., effective 3-16-53 to 3-15-54; 6 learners (women's cotton sportswear and cotton sleeping garments).

New England Sports Wear Co., 47 Walnut Street, Peabody, Mass., effective 3-19-53 to 3-18-54; 6 learners (leather garments).

Nuremberg Dress Co., Nuremberg, Pa., effective 3-20-53 to 3-19-54; 10 percent of the productive factory force or 10 learners, whichever is greater (ladles' dreexes).

Plainfield Manufacturing Co., Inc., Woonsocket, R. L., effective 3-12-53 to 9-11-53; 100

learners for expansion purposes (men's, women's and children's robes).

Primack Dress Co., Inc., Shamokin, Pa., effective 3-11-53 to 3-10-54; 10 percent of the productive factory force or 10 learners,

whichever is greater (dresses).

Reel Dress Co., 902 Washington Avenue,
St. Louis, Mo., effective 3-11-53 to 3-10-54; 5 learners. Learners not to be engaged at subminimum wage rates in the manufacture

of skirts (dresses).

Regal Manufacturing Co., 3915 Main Street,
Dallas 1, Tex., effective 3-16-53 to 3-15-54;
5 learners (cotton washable cervice uni-

J. H. Rutter-Rex Manufacturing Co., Inc., Franklinton, La., effective 3-16-53 to 9-15-53; 65 learners for expansion purposes (work pants).

Sel-Mor Garment Co., Inc., O'Fallon, Ill., effective 3-12-53 to 9-11-53; 20 learners for expansion purposes (ladies' and children's lingerie).

Seamprufe, Inc., 32 River Street, Carbondale, Pa., effective 3-9-53 to 9-8-53; 30 learners for expansion purposes (slips and

Sophie's Sewing Shop, 2535 East Edgement

Street, Philadelphia, Pa., effective 3-13-53 to 3-12-54; 3 learners (children's dresses).
Standard Romper Co., Inc., 558 Rossevelt Avenue, Central Falls, R. I., effective 3-10-53 to 3-9-54; 10 percent of the productive factory force engaged in the manufacture of garments from woven material (children's outer garments of cotton fabric).

Streamline Garment Corp., 1010 West Main Street, West Frankfort, Ill., effective 3-12-53 to 3-11-54; 10 percent of the productive factory force (cotton wash dresses and

housecoats).

I. Taitel and Son, 12 South Prettyman Street, Knox, Ind., effective 3-12-53 to 3-11-54; 10 percent of the productive factory force or 10 learners, whichever is greater (work

Triple A Trouser Manufacturing Co., 1429-1435 Capouce Avenue, Scranton, Pa., effective 3-25-53 to 9-24-53; 10 learners for expanaion purposes (trousers).

Triple A Trouger Manufacturing Co., 1423–1435 Capouse Avenue., Scranton, Pa., effective 3-25-53 to 3-24-54; 10 percent of the productive factory force (trousers).

Webster Clothes, Inc., Westminster Manufacturing Division, Westminster, Md., effective 3-10-53 to 3-9-54; 10 percent of the productive factory force to be engaged in the manufacture of men's trousers only (men's trousers).

Glove Industry Learner Regulations (29 CFR 522.220 to 522.231, as amended October 26, 1950; 15 F. R. 6888)

Wells Lamont Corp., Mount Vernon, Tex., effective 3-17-53 to 9-16-53; 15 learners for expansion purposes (leather work gloves).

expansion purposes (leather work gloves).
Wells Lamont Corp., Mount Vernon, Tex.,
effective 3-17-53 to 3-16-54; 10 learners
(leather work gloves).
Zain Gloves, Inc., Richmondville, N. Y.,
effective 3-13-53 to 3-12-54; 10 percent of
the productive factory force engaged in hand and machine stitching operations (men's leather dress gloves).

Hoslery Industry Learner Regulations (29 CFR 522.40 to 522.51, as revised November 19, 1951; 16 F. R. 10733)

The Alden Mills, 2303 Chartres Street, New Orleans, La., effective 3-10-53 to 3-9-54; 5 percent of the productive factory force.

Elliott Enitting Mills, Inc., Cleveland, N. O., effective 3-13-53 to 3-12-54; 5 learners. Rodgers Hoolery Co., Inc., Brookwood at Hillcrest Street, Athens, Ga., effective 3-13-53 to 3-12-54; 5 percent of the productive factory force.

Knitted Wear Industry Learner Regulations (29 CFR 522.68 to 522.79, as amended January 21, 1952; 16 F. R.

Standard Romper Co., Inc., 558 Roosevelt Avenue, Central Falls, R. I., effective 3-10-53 to 3-9-54; 5 percent of the productive factory force engaged in the manufacture of garments from knitted material (children's outer garments of cotton knit fabrics).

Winston Manufacturing Co., Inc., Haley-ville, Ala., effective 3-11-53 to 9-10-53; 25 learners for expansion purposes (undergar-

ments and sleeping wear).

Winoton Manufacturing Co., Inc., Haleyville, Ala., effective 3-11-53 to 3-10-54; 5
percent of the productive factory force
(undergarments and sleeping wear).

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.14)

Carolyn Chenilles, Inc., Sweetwater, Tenn., effective 3-13-53 to 9-12-53; 10 percent of the productive factory force; chenille machine operators; 320 hours; 65 cents per hour for the first 160 hours and 70 cents per hour for the remaining 160 hours (chenille bedspreads).
Chatham Studios, North Street and High

School Road, Hyannis, Mass., effective 3-10-53 to 9-9-53; 5 learners; sewing machine op-

story-Smithson, Inc., Third and Cedar Streets, Stover, Mo., effective 3-11-53 to 3-10-54; 5 learners; embroidery machine op-erators; 320 hours at 65 cents per hour (quiltery and special embroidery work for interior decorators).

Shoe Industry Learner Regulations (29 CFR 522.250 to 522.260, as amended March 17, 1952; 17 F. R. 1500).

Skippy Footwear Corp., Wayne and Madicon Avenue, West Hazelton, Pa., effective

1640 NOTICES

3-13-53 to 9-12-53; 10 additional learners for expansion purposes.

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the Federal Register pursuant to the provisions of Part 522.

Signed at Washington, D. C., this 16th day of March 1953.

MILTON BROOKE, Authorized Representative of the Administrator

[F. R. Doc. 53-2479; Filed, Mar. 20, 1953; 8:45 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 10428]

LATROBE BROADCASTERS

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Henry J. Mahady, Paul W Mahady, L. Kenneth Harkins, Louis Rosenberg, and Kenneth E. Rennekamp, d/b as Latrobe Broadcasters, Latrobe, Pennsylvania; for construction permit; Docket No. 10428, File No. BP-8073.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 11th day of March 1953;

The Commission having under consideration the above-entitled application for a construction permit for a new standard broadcast station to operate on 1480 kc, 500 watts, daytime, at Latrobe, Pennsylvania.

It appearing, that the applicant is legally technically financially and otherwise qualified to construct and operate the proposed station; but that the proposed operation would receive extensive interference from an existing station;

It further appearing, that pursuant to section 309 (b) of the Communications Act of 1934, as amended, the applicant was notified by letter dated August 13, 1952, of the foregoing deficiency and that the Commission was unable to conclude that a grant would serve the public interest; that by letter undated and received by the Commission September 2, 1952, the applicant attempted to justify a grant of the application, but that the Commission after further study is still unable to conclude that a grant would be in the public interest;

It is ordered, That, pursuant to section 309 (b) of the Communications Act of 1934, as amended, the said application is designated for hearing at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the area and popu-

lation which may be expected to gain or lose primary service from the operation of the proposed station, and the availability of other primary service to such area and population.

2. To determine whether a grant of the application would be consistent with § 3.24 (b) of the Commission rules and with the provisions of the Standards of Good Engineering Practice relating to the assignment of stations which will receive interference within normally protected contours.

FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 53-2506; Filed, Mar. 20, 1953; 8:53 a. m.]

[SEAL]

[Docket No. 10429]

DARRELL E. YATES

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Darrell E. Yates, Jacksonville, Texas; for a construction permit; Docket No. 10429, file No. BP-8285.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 11th day of March 1953;

The Commission having under consideration the above-entitled application for a construction permit for a new standard broadcast station to operate on 1260 kc, with a power of 500 watts, utilizing a directional antenna day and night at Jacksonville. Texas: and

at Jacksonville, Texas; and
It appearing, that the applicant is legally, technically financially and otherwise qualified to construct and operate the proposed station, that no interference would be caused to any existing or proposed station but that the proposed operation may not comply with the Standards of Good Engineering Practice; particularly with reference to an excessively high nighttime limitation of 19.7 my/m and the magnitude of the population residing between this contour and the normally protected contour; and

It further appearing, that by letter dated October 8, 1952, pursuant to section 309 (b) of the Communications Act of 1934, as amended, the applicant was advised of the above and other deficiencies and that the Commission was unable to conclude that a grant was in the public interest; and

It further appearing, that the applicant, in reply to the Commission's letter, of October 8, 1952, amended his application so as to correct the deficiencies in the daytime operation; but that the application is still defective in the respect above-mentioned; and that the Commission is still unable to conclude that a grant is in the public interest;

It is ordered, That, pursuant to section 309 (b) of the Communications Act of 1934, as amended, the said application is designated for hearing at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations which may be expected to gain

or lose primary service from the operation of the proposed station, and the availability of other primary service to such areas and populations.

2. To determine whether a grant of the application would be consistent with § 3.24 (b) of the Commission rules and with the provisions of the Standards of Good Engineering Practice relating to the assignment of stations which will receive interference within normally protected contours.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] T. J. SLOWIE, Secretary.

[F. R. Doc. 53-2507; Filed, Mar. 20, 1053; 8:53 a. m.]

[Docket Nos. 10393, 10394, 10396]

WASHINGTON RADIO PAGING SERVICE ET AL.

ORDER CONTINUING HEARING

In re applications of Walter G. Lohr and Thomas L. Smith, Jr. d/b as Washington Radio Paging Service, Washington, D. C., Docket No. 10393, File No. 1296-C2-P-52; Walter G. Lohr d/b as Baltimore Radio Paging Service, Baltimore, Maryland, Docket No. 10394, File No. 1297-C2-P-52; American Broadcasting Stations, Inc., Washington, D. C. Docket No. 10396, File No. 346-C2-P-53; for construction permits for one-way signaling stations in the Domestic Public Land Mobile Radio Service.

There being under consideration the Commission's order of February 4, 1953, herein, scheduling hearing for March 17, 1953:

It appearing, that two applicants whose applications had been consolidated herewith (New York Technical Institute of Cincinnati, Inc. (Docket No. 10392) and Air Signal Corporation of Washington (Docket No. 10395)) filed petitions to dismiss their applications, and that their applications were dismissed; that the above-captioned remaining applicants seek the two available channels, American Broadcasting Stations, Inc. requesting 35.58 Mc in Washington, D. C., and Washington Radio Paging Service and Baltimore Radio Paging Service 43.58 Mc for coordinated operation in Washington and Baltimore, Maryland, and filed petitions for immediate grant without hearing on March 6 and 9, 1953, setting forth the lack of opposition to the respective proposals; and

It further appearing, that the Commission has not yet acted upon the above-described petitions for immediate grant without hearing, and that such action might obviate the necessity for hearing;

It'is ordered, This 11th day of March 1953, that the hearing in this proceeding, now scheduled for March 17, 1953, is continued without date.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] T. J. SLOWIE, Secretary.

[F. R. Doc. 53-2508; Filed, Mar. 20, 1953; 8:53 a. m.]

[Docket Nos. 10401, 10402, 10430]

American Telephone Answering Service et al.

ORDER DESIGNATING APPLICATION FOR CON-SOLIDATED HEARING ON STATED ISSUES

In re applications of Lyman G. Berg, d/b as American Telephone Answering Service, Physicians Exchange, Radio Message Service and Television Answering Service, Long Beach, California, Docket No. 10401, File No. 111–C2–P–53; New York Technical Institute of Cincinnati, Inc., Mt. Wilson, California, Docket No. 10402, File No. 141–C2–P–53; Thomas W Wing and Kathleen Wing, d/b as Radio Paging Company, Mt. Wilson, California, Docket No. 10430, File No. 787–C2–P–53; for construction permits for one-way signaling stations in the Domestic Public Land Mobile Radio Service.

The Commission, having under consideration its order of February 4, 1953, designating the above-entitled applications of Lyman G. Berg and New York Technical Institute of Cincinnati, Inc., for hearing in a consolidated proceeding to be held in Washington, D. C., on March 30, 1953; the above-entitled applications of Thomas W Wing and Kathleen Wing, d/b as Radio Paging Company filed February 3, 1953; and the reply of Thomas W Wing and Kathleen Wing, d/b as Radio Paging Company to the Commission's notification issued pursuant to the provisions of section 309 (b) of the Communications Act of 1934, as amended; and

It appearing, that the application of Thomas W Wing requests the same frequency as the other applications herein for use in the same geographic area, and that the frequency so requested is the only frequency presently available for such use in this area:

It is ordered, This 12th day of March 1953, that the application of Thomas W. Wing and Kathleen Wing, d/b as Radio Paging Company is designated for hearing in a consolidated proceeding with the other applications herein, to be held at the time and place specified in the Commission's order herein of February 4, 1953, on the issues therein specified.

Federal Communications
Commission,
[SEAL] T. J. Slowie,
Secretary.

[F. R. Doc. 53-2509; Filed, Mar. 20, 1953; 8:53 a. m.]

[Docket No. 10431]

SOUTHERN BELL TELEPHONE AND TELEGRAPH CO.

ORDER ASSIGNING APPLICATION FOR PUBLIC HEARING

In the matter of the application of Southern Bell Telephone and Telegraph Company, for a certificate under section 221 (a) of the Communications Act of 1934, as amended, to acquire certain telephone plant and property of Ralph W Tilghman, d/b as Fair Hall Telephone Company, Kenton, Tennessee; Docket No. 10431, File No. P-C-3167.

7

The Commission having under consideration an application filed by Southern Bell Telephone and Telegraph Company for a certificate under section 221 (a) of the Communications Act of 1934, as amended, that the proposed acquisition by Southern Bell Telephone and Telegraph Company of the Kenton, Tennessee, telephone exchange of Ralph W. Tilghman, d/b as Fair Hall Telephone Company will be of advantage to the persons to whom service is to be rendered and in the public interest;

It is ordered, This 13th day of March, 1953, that pursuant to the provisions of section 221 (a) of the Communications Act of 1934, as amended, the above application is assigned for public hearing for the purpose of determining whether the proposed acquisition will be of advantage to the persons to whom service is to be rendered and in the public interest;

It is further ordered, That the hearing upon said application be held at the offices of the Commission in Washington, D. C., beginning at 9:00 a. m. on the 27th day of April, 1953, and that a copy of this order shall be served upon Southern Bell Telephone and Telegraph Company, Ralph W. Tilghman d/b as Fair Hall Telephone Company, the Governor of the State of Tennessee, the Tennessee Railroad and Public Utilities Commission and the Postmaster of Kenton, Tennessee;

It is further ordered, That within five days after the receipt from the Com-

mission of a copy of this order, the applicant herein shall cause a copy hereof to be published in a newspaper or newspapers having general circulation in Kenton, Tennessee, and in Obion and Gibson Counties, Tennessee, and shall furnish proof of such publication at the hearing herein.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,

Secretary.

[F. R. Doc. 53-2510; Filed, Mar. 20, 1953; 8:54 a. m.]

[Change List 154]

MEXICAN BROADCAST STATIONS

LIST OF CHANGES, PROPOSED CHANGES, AND CORRECTION IN ASSIGNMENTS

FEBRUARY 10, 1953.

Notification under the provisions of part III, section 2 of the North American Regional Broadcasting Agreement.

List of changes, proposed changes, and corrections in assignments of Mexican Broadcast Stations modifying appendix containing assignments of Mexican Broadcast Stations (Mimeograph 47214–6) attached to the recommendations of the North American Regional Broadcasting Agreement Engineering Meeting, January 30, 1941.

Mexico call letters	Location	Power (kw)	Sched- ulo	Class	Probable date to commence operation
xeuo	Tehuantepec, Oaxaca (New)	610-kilceydes 210 w	σ	īv	July 26, 1933
XEIO XEIU XEUG	Aguascallentes, Ags. (New)	### ##################################	מ	IV IV III-B	Do. July 25, 1953 Do.
XEHPXERR	Ciudad Victoria, Tamaulipas (New)	670 kHocycles 1 kw/D 160 w/N 5 kw/D 250 w/N (Change in call lat-	ับ	IV IV	June 5, 1933 Feb. 10, 1933
XEUD	Tapachula, Chlapas (New)	LSO kilcoyeles too w	σ	III-B	July 26, 1953
XEIQ	Lagos de Moreno, Jalisco (New)	COO kiliceyeles 210 w	σ	īv	July 24,1953
XEIZ	Cananea, Senera (New)	CSO kilcoyeles 5 kw DA/N 5 kw/D 230 w/N	ជួ	III-A IV	Do. July 26, 1953
XEIS	Ciudad Guzman, Jalisco (New)	C70 kilceyeles 1 kw	D	п	July 24, 1953
XEIE	Parral, Chihuahua (New)	710 kilocycles 500 v	D	п	Do.
XEHJ	Zapotlanejo, Jalisco (New)	769 Ellocycles 1 kw	D	п	Juna 19,1953
XEPA	Gomez Palacio, Durango	760 kilcepeles 250 w DA (Delete accignment.)	σ	IV	Jan. 6, 1933
XEIO	Ciudad Obrezon, Sonora (Ncw)	810 Eilocycles 100 W	מ	п	July 24,1953
XEIN	Tepic, Nayarit (New)	850 kilceyeles 1 kw/D 176 w/N	σ	IV	July 27,1953
XEJN	Ciudad Reynesa Tamaulipas (New)	040 kilocycles 200 W	D	īV	Auz. 9,1953
XEUQ	Zihuatanejo, Guerrero (New)	609 bilocycles 5 kw/D 250 w/N	σ	IV	July 26, 1953
XEYA	Iropusto, Guanajuato	070 Ellecycles 1 kw/D 100 w/N (Change in call letters, proviously XEHE.)	σ	ш-в	Jan. 6,1953

Sched Class to commence ule operation	υ π July 26 1953	U III-A Mar, 19 1953	U III-B Feb 10 1963	T J SLOWIE,	m]			OF NEW STATIONS AND CHANGES, MODIFICATION AND DELETIONS OF EXISTING STATIONS	February 11 1953 ges, modification and	C, 1950		Froposed date of change of commencement of operation	Gancel	Opon entry into lores of the agreement	win continue in operation on this frequency Cancel	Will continue in operation on this frequency until	agreement Tron enter into force of the	agreement Cancel	Will continue in operation	entry into force of the agreement	
60	<u> </u> 	Hme	To ()		ದ			ATION	chang	n, Dec		Olass	1 1	<u>}</u> }	1日	Ħ	F	1 #	Ħ	_	
Power (kw)	1580 kilocycles	kilocycles 5 kw/N. in day	N In call lot usly XE(20 1953; 8:54		SNS	CODIFIC	id of	part hingto		Sched	Þ	ı د	a c	Þ	=	Þ	Þ		
Ром	1580 250 W	10 kw/D 5 kw/N (Increase in daytime	power.) 6 kw DA N (Change in call letters, previously XEGQ)				1st 2] State	GES, M	ns, ar	t, Was	V COUBA	Anten	g :	מ ו	g g	e E	5		QN.		_
		,,			Doc 53-2511; Filed Mar		[Change List 2] CUBAN RADIO STATIONS	IS AND CHANGES, MC EXISTING STATIONS	adio Static	accordance g Agreemen	KEPUBLIC OF CUBA	Power (kw)	1400 kitocycles 0 25	25 1460 kilocycles	o 10	1620 kilocycles 0 25	1650 kilocycles	8 8	1560 kilocycles		
Location	Progreso Yucatan (New)	Mexico D F	Monterrey Nuovo Leon		F R Doc 53-2		ర్	NOTIFICATION OF NEW STATION	ation of new Cuban F	deletions of existing stations, in accordance With pair 111, section F; of the North American Regional Broadcasting Agreement, Washington, D C, 1950		Location	San Luis Oriente (Vide: 1460 kc)	Banes, Oriente (PO: 1660 kc vide 1650 kc)	San Luis Oriente (Vide: 1400 Rolguin, Oriente (Vide: 1520 and 1550 kilocycles)	Holguin, Oriente (Vide: 1460 and 1550 kilocycles)	Wolania Oriente (Wides 1480	and 1520 kilocycles). Banes, Oriente (Vide: 1400	and 1560 kilogycies) Banes, Oriente (Vide: 1400	and 1550 kilocycles)	
Mexico call letters	XEUL	хемо	XEMB	[SEAL]				NOTIE	Notific	deletions Americar		Call letters	CMKQ	NEW	CMKQ	OMKT	E4370	NEW	NEW		-
Probable date to commence operation	July 24 1953	July 26 1953	July 24 1953	July 26 1953	ů	July 24 1053	July 26 1953 Do	July 24 1953	Feb 10 1953	July 30 1953	July 26 T953	July 24 1953	July 26 1953 Do. July 3 1953	July 26 1953	Do July 24 1953	July 26 1953	July 27 1953	July 26 1953	July 24 1953	Å	
Olass	H	H-B		Ħ	Ħ	A	ΝŅ	Σī	ΙΛ	Ħ	M-III	ΔI	IV III-B III-B	£	22	Ν	Δì	À	Ħ	Ħ	
Sched	А	ad	, д	А	Д	Þ	ÞÞ	Þ	p	А	Þ	Þ	ppp	D	ÞÞ	Þ	Þ	Þ	А	А	
Power (kw)	980 kilocycles 1 kw	990 kilocycles 5 kw/D 500 w/N	1010 kilocycles 250 W	1 kw	1160 kilocycles 1 kw	1240 kilocycles 100 w	1250 kilocycles 1 kw/D 250 w/N	1260 kilocycles 250 w	1870 kilocycles 100 w (Doleto assign ment)	1 kw	1360 kilocycles 1 kw	1400 kilocycles 250 w	1410 kilocycles 1 kw/D, 250 w/N 600 W 5 kw/D, 500 w/N	1420 kilocycles 250 w	1450 kilocycles 250 w 250 w	1450 kilocycles 250 w	1490 kilocycles 250 w	1500 kilocycles 250 w	1620 kilocycles 500 w	1540 kilocycles 250 w	1550 500000000
Location	Ocotlan Jalisco (New)		(Terr North)	La Piedad Michoacan (New)	Uruapan, Michoacan (New)	San Blas Sinaloa (New)	(New)	(New)	Leon Guanajuato	Iquilpan Michoacan (New)	Tuxtla Gutlerrez Ohlapas (New)	Fresnillo Zacatecas (New)	Puerto Vallarta Jalisco (New) Teapa, Tabasco (New)	Cozumel Quintana Roo (New)	Campeche Campeche (New). Salamanca Guanajuato (New)	9 (New)	Todos Santos Baja Callí (Terr South)		Mazatlan Sinaloa (New)	Cardenas San Luis Potosi (New)	
Mexico call letters	T.														XEUK	- 1	!	:	XEIG.		

[Change List 3]

CUBAN RADIO STATIONS

NOTIFICATION OF NEW STATIONS AND CHANGES, LIODIFICATION AND DELETIONS OF EXISTING STATIONS

FEBRUARY 12, 1953.

Notification of new Cuban Radio Stations, and of changes, modification and deletions of existing stations, in accordance with part III, section F of the North American Regional Broadcasting Agreement, Washington, D. C., 1950.

REPUBLIC OF CUBA

Call letters	Location e	Power (kw)	Anten- na	Schod- ulo	Class	Proposed data of change or commence- ment of operation
NEW	Holgum, Oriente	1150 kiloeyeles 0.25	ND	ซ	IV	Aug. 23, 1853
CMAD	Pinar del Rio, P. R. (Change in location.)	1940 kilocycles 0.25	ИD	ט	īV	Apr. 3,1053
CMDX	Baracoa, Oriente (New)	1469 kilocycles 0.25	ND	ס	īV	July 19,19:3
СМНА	Santa Clara, Las Villas (Change in location).	1289 kilocycles 1	ND	σ	ш	

[SEAL]

T. J. SLOWIE, Secretary.

[F. R. Doc. 53-2513; Filed, Mar. 20, 1953; 8:54 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6483]

PENNSYLVANIA POWER & LIGHT CO. NOTICE OF APPLICATION FOR ORDER AU-THORIZING ACQUISITION OF STOCKS

March 16, 1953.

Take notice that on March 12, 1953, an application was filed with the Federal Power Commission, pursuant to section 203 of the Federal Power Act, by Pennsylvania Power and Light Company (hereinafter referred to as "PP&L") a corporation organized under the laws of the State of Pennsylvania and doing business in said state with its principal business office at Allentown, Pennsylvania, seeking an order authorizing the acquisition of all of the outstanding stocks of The Scranton Electric Company, (hereinafter referred to as "Scranton") a corporation organized (hereinafter referred to as under the laws of the State of Pennsylvania and doing business in said state with its principal business office at Scranton, Pennsylvania. PP&L proposes to acquire the stocks of Scranton by the issuance in exchange therefor PP&L stocks on the following basis: (1) Each two shares of Scranton Common Stock would be exchanged for one share of PP&L Common Stock; (2) each share of Scranton 4.40 percent Cumulative Preferred Stock would be exchanged for one share of PP&L 4.40 percent Series Preferred Stock, and, (3) each share of Scranton 3.35 percent Cumulative Preferred Stock would be exchanged for one share of PP&L 3.35 percent Series Preferred Stock (a new series to be established) or 34 of a share of PP&L 41/2 percent Preferred Stock or two shares of PP&L Common Stock, at the election of the holder of Scranton 3.35 percent Cumulative Preferred Stock; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard, or to make any protest with reference to said application should, on or before the 4th day of April 1953, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure. The application is on file with the Commission for public inspection.

[SEAL]

Leon M. Fuquay, Secretary.

[F. R. Doc. 53-2480; Filed, Mar. 20, 1953; 8:46 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 7-1491, 7-1492]

ALLEGHANY CORP. AND UNITED STATES RUBBER CO.

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 16th day of March A. D. 1953.

In the matter of application by the San Francisco Stock Exchange for unlisted trading privileges in Alleghany Corporation, Warrants for Common Stock, \$1 Par Value, 7-1491, United States Rubber Company, Common Stock, \$5 Par Value, 7-1492.

The San Francisco Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Warrants for Common Stock, \$1 Par Value, of Alleghany Corporation, a security registered and listed on the American Stock Exchange; and the Common Stock, \$5 Par Value, of United States Rubber Company, a security reg-

istered and listed on the New York Stock Exchange and on the Boston Stock Exchange.

Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington,

Notice is hereby given that, upon request of any interested person received prior to April 3, 1953, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL]

ORVAL L. DUBOIS, Secretary.

[F. R. Doc. 53-2481; Filed, Mar. 20, 1953; 8:46 a. m.]

[File No. 54-210]

SOUTHERN NATURAL GAS CO. AND ALABAMA
GAS CORP.

ORDER RELEASING JURISDICTION WITH RE-SPECT TO PROPOSED BOARD OF DIRECTORS OF ALABAMA GAS CORPORATION

MARCH 17, 1953.

The Commission on March 4, 1953, having issued its findings and opinion and order (Holding Company Act Release No. 11748) approving a plan under section 11 (e) of the Public Utility Holding Company Act of 1935 ("act") providing for the distribution by Southern Natural Gas Company ("Southern") a registered holding company, to the holders of its common stock all of its stock holdings in its only public utility subsidiary, Alabama Gas Corporation ("Alabama").

Said plan having provided that a reconstituted Board of Directors of Alabama would be submitted to the Commission prior to consummation of the distribution;

The Commission's order of March 4, 1953, having reserved jurisdiction with respect to the selection and composition of the new Board of Directors of Alabama;

Southern and Alabama on March 17, 1953, having filed with the Commission the names, addresses and qualifications of the persons selected to serve on the Board of Directors of Alabama; and

The Commission having considered the proposed Board of Directors of Alabama and finding that the Board as proposed conforms to the provisions of the said plan and the applicable provisions of the act and that no adverse action need be taken with respect to the Board:

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It is ordered, That the jurisdiction heretofore reserved with respect to the selection and composition of the new Board of Directors of Alabama be, and the same hereby is, released.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F. R. Doc. 53-2484; Filed, Mar. 20, 1953; 8:47 a. m.]

[File No. 70-2912]

DUQUESNE LIGHT CO.

SUPPLEMENTAL ORDER RELEASING JURISDIC-TION OVER FEES AND EXPENSES FOR AC-COUNTING SERVICES

MARCH 17, 1953.

The Commission, by orders dated September 8, 1952, September 16, 1952, and September 23, 1952, having granted an application, as amended, filed pursuant to the act by Duquesne Light Company ("Duquesne") a public utility subsidiary of Philadelphia Company, a registered holding company, with respect to the issuance and sale of 140,000 shares of 4.15 percent Preferred Stock, \$50 par value, and \$14,000,000 principal amount of 3½ percent First Mortgage Bonds, Series due September 1, 1982, and the Commission having in said order of September 23, 1952, reserved jurisdiction over fees and expenses for accounting and legal services; and

The record having been completed with respect to the fees and expenses of Haskins & Sells for accounting services, in the amount of \$6,882.96 of which \$4,588.64 is allocated to the bonds and \$2,294.32 is allocated to the preferred

stock; and

It appearing to the Commission that said fees and expenses are not unreasonable and that jurisdiction with respect thereto should be released:

It is ordered, That jurisdiction be, and the same hereby is, released with respect to the fees and expenses of Haskins & Sells for accounting services in the amount of \$6,882.96.

It is further ordered, That the jurisdiction reserved in the order of September 23, 1952, over fees and expenses for legal services in connection with the proposed transactions be, and the same hereby is, continued.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F. R. Doc. 53-2487; Filed, Mar. 20, 1953; 8:47 a. m.]

[File No. 70-2937]

PHILADELPHIA CO. AND DUQUESNE LIGHT CO.

SUPPLEMENTAL ORDER RELEASING JURISDIC-TION OVER FEES AND EXPENSES FOR AC-COUNTING SERVICES

MARCH 17, 1953.

The Commission, by its order dated payable to The National City Bank of November 19, 1952, having granted and New York. Each borrowing company

permitted to become effective an application-declaration, filed pursuant to the act by Philadelphia Company, a registered holding company, and its subsidiary, Duquesne Light Company, with respect to the sale by Philadelphia of 170,000 shares of common stock of Duquesne and the issuance and sale by Duquesne of 80,000 shares of its common stock, and the Commission having reserved jurisdiction over the payment of fees and expenses for accounting and legal services; and

The record having been completed with respect to the fees and expenses of Haskins & Sells for accounting services in the amount of \$2,718.57 of which \$869.95 is allocated to Duquesne and \$1,-848.62 is allocated to Philadelphia Company and

It appearing to the Commission that said fees and expenses are not unreasonable and that jurisdiction with respect thereto should be released.

It is ordered, That jurisdiction be, and the same hereby is, released with respect to the fees and expenses of Haskins & Sells for accounting services in the amount of \$2,718.57.

It is further ordered, That the jurisdiction reserved in the order of November 19, 1952, over fees and expenses for legal services in connection with the proposed transactions be, and the same hereby is, continued.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F R. Doc. 53-2488; Filed, Mar. 20, 1953; 8:47 a. m.]

[File No. 70-2990]

ARLINGTON GAS LIGHT CO. ET AL.

ORDER AUTHORIZING ISSUANCE OF PROPOSED NOTES

March 16, 1953.

In the matter of Arlington Gas Light Company, Central Massachusetts Gas Company, Gloucester Gas Light Company, Malden and Melrose Gas Light Company Salem Gas Light Company File No. 70–2990.

The above named companies hereinafter individually referred to as "Arlington" "Central Mass." "Gloucester Gas" "Malden and Melrose" and "Salem Gas" and collectively referred to as the "borrowing companies" all public-utility subsidiary companies of New England Electric System, a registered holding company, having filed with this Commission declarations, pursuant to sections 6 (a) and 7 of the Public Utility Holding Company Act of 1935 and Rules U-23 and U-42 (b) (2) promulgated thereunder, with respect to the following proposed transactions:

Under bank loan agreements, dated March 20, 1952, as amended, the borrowing companies have outstanding \$6,690,000 principal amount of unsecured promissory notes, due April 1, 1953, and payable to The National City Bank of New York. Each borrowing company

proposes to issue additional unsecured promissory notes to said bank under its bank loan agreement, as further amended. The amended loan agreements, among other things, extend the date on or before which the new notes may be issued to December 31, 1953, and provide that the new notes will mature March 1, 1954, and will bear interest at the same rate as the presently outstanding notes. The following table shows the principal amount of new notes to be issued and the interest rate thereof and the principal amount of presently outstanding notes:

	Notes to t	Notes			
Company	Amount	Interest rato	out- standing		
Arlington	\$2,000,000 700,000 700,000 3,000,000 1,250,000	Percent 31/4 31/2 31/4 31/4 31/4	\$1, 785, 000 350, 000 625, 000 2, 760, 000 1, 170, 000		
Total	7, 650, 000		6, 690, 000		

Each borrowing company will use the proceeds derived from the issuance of new notes to pay and discharge its presently outstanding notes and the balance, if any will be applied to the payment of construction expenditures and for other corporate purposes.

Each borrowing company proposes that if any permanent financing is done before the maturity of the proposed notes, it will apply the proceeds therefrom in reduction of, or in total payment of, notes then outstanding, and the amount of authorized but unissued notes, if any, will be reduced by the amount, if any, by which such permanent financing exceeds the notes at the time outstanding.

The declarations state that incidental services in connection with the proposed note issues will be performed, at cost, by New England Power Service Company, an affiliated service company such cost being estimated not to exceed \$300 for each of the borrowing companies, or an aggregate of \$1,500.

The declarations state that no State commission or Federal commission, other than this Commission, has jurisdiction over the proposed note issues. Each of the borrowing companies requests that the Commission's order herein become effective forthwith upon issuance.

Due notice having been given of the filing of the declarations, and a hearing not having been requested of or ordered by the Commission; and the Commission finding that the applicable provisions of the act and the rules promulgated thereunder are satisfied and that no adverse findings are necessary and deeming it appropriate in the public interest and the interest of investors and consumers that said declarations be permitted to become effective forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said declarations be, and they hereby are, permitted to become effective

forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F. R. Doc. 53-2486; Filed, Mar. 20, 1953; 8:47 a. m.]

[File No. 70-3012]

DERBY GAS & ELECTRIC CORP.

ORDER GRANTING APPLICATION REGARDING ISSUANCE AND SALE OF NOTE

MARCH 17, 1953.

Derby Gas & Electric Corporation ("Derby") a registered holding company, having filed an application and amendments thereto, pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 ("act") and Rule U-50 (a) (2) and (a) (4) of the rules and regulations promulgated under the act regarding the issue and sale to a commercial bank of a nine month note in the principal amount of \$140,000; and

Notice of the filing of the application having been given in the manner and form prescribed by Rule U-23 of the rules and regulations promulgated under the act, and a hearing not having been requested or ordered by the Commission; and

The Commission finding that the applicable provisions of the act and the rules promulgated thereunder have been satisfied, and deeming it appropriate in the public interest and in the interest of investors and consumers that said application, as amended, be granted, and the Commission further deeming it appropriate to grant applicant's request that this order become effective upon its issuance:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said application, as amended, be, and it hereby is, granted, subject to the terms and conditions prescribed by Rule U-24, and that this order shall become effective upon its issuance.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F. R. Doc. 53-2485; Filed, Mar. 20, 1953; 8:47 a, m.]

[File No. 70-3015]

Brockton Edison Co. and Eastern Utilities Associates

NOTICE OF FILING REGARDING PROPOSED ISSUANCE AND SALE OF PRINCIPAL AMOUNT OF BONDS AND PLEDGING OF ASSETS AND PORTFOLIO SECURITIES

March 17, 1953.

Notice is hereby given that an application-declaration has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935

No. 55----5

(the "act") by Eastern Utilities Associates ("EUA"), a registered holding company, and its public-utility subsidiary company, Brockton Edison Company ("Brockton") EUA owns 97.4 percent of the capital stock of Brockton. EUA and Brockton have designated sections 6 and 12 of the act and Rules U-23, U-42 (b) (2) U-44 and U-50 thereunder as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than March 30, 1953, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said application-declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after March 30, 1953, said application-declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said application-declaration, which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Brockton proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50, \$4,100,000 principal amount of First Mortgage and Collateral Trust bonds, __ percent Series, due 1983, and proposes to pledge as security therefor all of its assets (with certain specified exceptions) and its investments in the stock and debt securities of Montaup Electric Company, a subsidiary of Brockton. The bonds will be issued under an Indenture of First Mortgage and Deed of Trust, dated September 1, 1948, as supplemented by a First Supplemental Indenture, to be dated as of February 1, 1953, between Brockton and State Street Trust Company, Boston, Massachusetts, as Trustee. The proceeds from the sale of the bonds will be used to repay short-term promissory notes outstanding in the aggregate principal amount of \$4,100,000.

The total expenses of Brockton in connection with the proposed issuance of the bonds are estimated in the application-declaration at \$41,000. It is stated in the application-declaration that the transaction is subject to the jurisdiction of the Department of Public Utilities of Massachusetts, the State Commission of the State in which Brockton is organized and doing business.

By the Commission.

[SEAL] ORVAL L. DUBOIS, Secretary.

[F. R. Doc. 53-2483; Filed, Mar 20, 1953; 8:46 a.m.]

[File No. 70-3018]

NEW ORLEAMS PUBLIC SERVICE, INC. MOTICE OF FILING REGARDING SALE OF PRIN-CIPAL AMOUNT OF FIRST MORTGAGE BONDS

March 17, 1953.

Notice is hereby given that New Orleans Public Service, Inc. ("New Orleans") a subsidiary of Middle South Utilities, Inc., a registered holding company, has filed an application pursuant to the Public Utility Holding Company Act of 1935, and has designated sections 6 (b) and 7 thereof, and Rule U-50 of the rules and regulations promulgated thereunder, as applicable to the proposed transactions which are summarized as follows:

New Orleans proposes to issue and sell pursuant to the competitive bidding requirements of Rule U-50, \$6,000,000 principal amount of its First Mortgage Bonds, __ Percent Series, due 1933. The bonds are to be issued under New Orleans' Mortgage and Deed of Trust dated as of July 1, 1944, as supplemented and as to be supplemented by two supplemental indentures. The application states that the proceeds derived from the sale of bonds are to be used in connection with the Company's construction program which, it is estimated, will require the expenditure of approximately \$17,000,000 in the year 1953 and approximately \$12,000,000 in the year 1954.

The interest rate of the bonds (which shall be a multiple of ½ of 1 percent and which shall not exceed 3½ percent per annum) and the price (exclusive of accrued interest) to be paid the Company for the bonds (which shall be not less than the principal amount thereof and not more than 102½ percent of such principal amount) will be fixed by proposals to be invited pursuant to Rule U-50.

The proposed transactions have been expressly authorized by the Commission Council of the City of New Orleans, the regulatory Commission having jurisdiction over New Orleans in the State in which the Company is organized and doing business.

Notice is further given that any interested person may not later than March 31, 1953, at 5:30 p.m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law, if any, raised by the said application which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed. Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after March 31, 1953, said application, as filed or as amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof. All interested persons are referred to said application which is on file at the offices of this Commission for a statement of the transactions therein proposed.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F. R. Doc. 53-2482; Filed, Mar. 20, 1953; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 27896]

SUGAR FROM NEW ORLEANS, RESERVE, LA., AND POINTS GROUPED THEREWITH, TO MEMPHIS, TENN., GROUP

APPLICATION FOR RELIEF

March 18, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent, for carriers parties to schedule listed below. Comodities involved: Sugar, carloads.

From: New Orleans and Reserve, La., and points grouped therewith.

To: Memphis, Tenn., and points grouped therewith.

Grounds for relief: Competition with rail carriers and motor carriers, and circuitous routes.

Schedules filed containing proposed rates: W P Emerson, Jr., Agent, I. C. C.

No. 380, Supp. 165. Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period,

may be held subsequently. By the Commission.

[SEAL]

GEORGE W LAIRD, Acting Secretary.

[F. R. Doc. 53-2489; Filed, Mar. 20, 1953; 8:48 a. m.]

[4th Sec. Application 27897]

ALUMINA, CALCINED OR HYDRATED, FROM BATON ROUGE, LA., TO POINTS IN OFFI-CIAL, ILLINOIS, AND SOUTHERN TERRI-TORIES

APPLICATION FOR RELIEF

March 18, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent, for carriers parties to schedules listed below.

Commodities involved. Alumina, calcined or hydrated, carloads.

From: Baton Rouge and North Baton Rouge, La.

To: Points in official, Illinois, and southern territories.

Grounds for relief: Rail competition, circuitous routes, and to apply rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: W P Emerson, Jr., Agent, I. C. C. 413, Supp. 41. W. P Emerson, Jr., Agent, I. C. C. 417, Supp. 12.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

GEORGE W LAIRD, Acting Secretary.

[F. R. Doc. 53-2490; Filed, Mar. 20, 1953; 8:48 a. m.]

[4th Sec. Application 27898]

BRICK FROM LAWRENCEVILLE, VA., TO WASHINGTON, D. C.

APPLICATION FOR RELIEF

MARCH 18, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent, for the Atlantic and Danville Railway Company and the Southern Railway company.

Commodities involved: Brick and related articles, carloads.

From: Lawrenceville, Va.

To: Washington, D. C.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1278, Supp. 25.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to

take at the hearing with respect to the application. Otherwise the Commission, m its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

George W Laird, Acting Secretary.

[F. R. Doc. 53-2491; Filed, Mar. 20, 1953; 8:48 a. m.]

[4th Sec. Application 27899]

MALT LIQUORS AND EMPTY CONTAINERS BETWEEN ILLINOIS TERRITORY AND THE SOUTH

APPLICATION FOR RELIEF

MARCH 18, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. G. Raasch and R. E. Boyle, Jr., Agents, for carriers parties to joint schedule listed below.

Commodities involved: Malt liquors, and empty containers returned, carloads.

From: Belleville, Ill., Cincinnati, Ohio, Chicago, Ill., Evansville, Ind., Louisville, Ky., Milwaukee, Wis., Peoria, Ill., St. Louis, Mo., and Waukesha, Wis.

To: Points in southern territory except on returned empty containers movement is in reverse direction.

Grounds for relief: Rail competition, circuitous routes, and to maintain grouping.

Schedules filed containing proposed rates: R. G. Raasch, Agent, I. C. C. No. 779. C. A. Spaninger, Agent, I. C. C. No. 1367.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

George W Laird,
Acting Secretary.

[F R. Doc. 53-2492; Filed, Mar. 20, 1953; 8:48 a. m.]

[4th Sec. Application 27900]

PETROLEUM PRODUCTS FROM BATON ROUGE. LA., TO GULFPORT, MISS.

APPLICATION FOR RELIEF

March 18, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-shorthaul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent, for the Fernwood, Columbia & Gulf Railroad Company and the Illinois Central Railroad Company.

Commodities involved: Petroleum and petroleum products, in tank-car loads.

From: Baton Rouge, La.

To: Gulfport, Miss.

Grounds for relief: Circuitous routes. Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed

to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

GEORGE W. LAIRD. Acting Secretary.

[F. R. Doc. 53-2493; Filed, Mar. 20, 1953; 8:49 a. m.]

[4th Sec. Application 27901]

ANHYDROUS AMMONIA FROM VICKSBURG, MISS., TO HOUSTON AND TEXAS CITY, TEX.

APPLICATION FOR RELIEF

March 18, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed'by F C. Kratzmeir, Agent, for the Illinois Central Railroad Company, Louisiana & Arkansas Railway Company,

and Missouri-Kansas-Texas Railroad Company of Texas.

Commodities involved: Anhydrous ammonia, in tank-car loads.

From: Vicksburg, Miss. To: Houston and Texas City, Tex. Grounds for relief: Competition with rail carriers and circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

GEORGE W. LAIRD, Acting Secretary.

[F. R. Doc. 53-2494; Filed, Mar. 20, 1953; 8:49 a. m.]